

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Issue  
Case  
Hearing

Wayne

Reg No: 2011 22272  
No: 3000, 2007  
No: [REDACTED]  
Date: [REDACTED]

County DHS (31)

ADMINISTRATIVE LAW JUDGE: [REDACTED]

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for hearing. After due notice, a hearing was conducted in Detroit, Michigan on Monday, [REDACTED]. The Claimant's Authorized Representative, [REDACTED] of [REDACTED] appeared and testified on behalf of the Claimant. [REDACTED], FIS appeared on behalf of the Department.

ISSUE

Whether the Department received an application for Medical Assistance filed by the Claimant's authorized representative.

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material and substantial evidence on the whole record, finds as material fact:

1. The Claimant submitted an application for the Adult Medical Program ("AMP") on [REDACTED]. The Claimant was found eligible [REDACTED] and continued to be eligible through the date of the hearing for the Adult Medical Program. Exhibit 1
2. The Department has no record of [REDACTED] and did not receive an application in [REDACTED] for Medicaid filed on behalf of the Claimant by his authorized representative.

3. The Claimant's authorized representative's hearing request indicated an application was filed in [REDACTED] and subsequently testified that the application referred to in its hearing request was filed in [REDACTED]
4. The Claimant's authorized representative did not have a copy of the application. The application was not filed by the authorized representative, but by the [REDACTED]. The Claimant's authorized representative was unable to obtain a copy of the application from the hospital.
5. The Department did receive a Facility Admission Notice and denied medical eligibility because the Claimant's case was already open for AMP. Claimant Exhibit 1.
6. The Claimant's authorized representative also produced a shipper which did not establish that an application was filed with the Department. Claimant Exhibit 2.
7. On [REDACTED], the Claimant's authorized representative filed a request for hearing protesting the failure of the Department to process the [REDACTED] application. The hearing request was received by the Department on [REDACTED]

#### CONCLUSIONS OF LAW

The Medical Assistance ("MA") program is established by Subchapter XIX of Chapter 7 of The Public Health & Welfare Act. 42 USC 1397 and is administered by the Department of Human Services pursuant to MCL 400.10, *et. seq.* The Department of Human Services ("DHS"), formerly known as the Family Independence Agency, administers the program pursuant to MCL 400.10, *et seq* and MAC R 400.3001-3015. Departmental policies are found in the Program Administrative Manual ("PAM")- currently the Bridges Administrative Manual ("BAM"), the Bridges Eligibility Manual ("BEM"), and the Program Reference Manual ("PRM") currently the Bridges Program Glossary ("BPG").

In this matter the only information available from the Claimant's authorized representative did not establish the filing of an application for Medical Assistance. In

order for the Department to register and process an application, an application must be received. BAM 105 provides:

An application or filing form, whether faxed, mailed or received from the internet must be registered with the receipt date, **if** it contains at least the following information:

- Name of the applicant.
- Birth date of the applicant (not required for FAP).
- Address of the applicant (unless homeless).
- Signature of the applicant/authorized representative.

An application/filing form with the minimum information listed above must be registered in Bridges using the receipt date as the application date even if it does not contain enough information needed to determine eligibility;

A review of the available information does establish that a Facility Admission Notice was received and processed. The Facility Admission Notice by itself is not sufficient to be considered an application for Medical Assistance in this instance as the Claimant was already an active MA recipient. In fact the Facility Admission Notice indicates that it was denied because the Claimant is already active for AMP. Claimant Exhibit 1. BAM 110 provides:

**MA Only**

Receipt of a completed MSA-2565-C, Facility Admission Notice, serves as a request for MA for all persons except:

- Automatically eligible newborns, see BEM 145.
- Active MA recipients.
- Pending MA or FIP applicants.

BAM 110, Page 2 and 3

Lastly, the final piece of information offered by the Claimant's authorized representative to substantiate the filing of an application, referred to as a shipper, or log does not establish that an application was filed. Claimant Exhibit 2. The document does not establish, what action, if any, was taken on behalf of the Claimant.

Based upon the foregoing proofs submitted by the Claimant's Authorized Representative, the testimony of the witnesses and documentary evidence it is not established that an application was filed on behalf of the Claimant, or that it was sent and should have been received by the Department, and therefore the Department had no obligation to register or process an application. Additionally, the Department appropriately denied the Facility Admission Notice on [REDACTED] as the Claimant was receiving AMP at the time and thus was an active recipient of Medical Assistance and its action in denying the Facility Admission Notice is affirmed.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law AFFIRMS the Department's action denying the Claimant's Facility Admission Notice on [REDACTED]

[REDACTED]

Administrative  
For  
Department

Law Judge  
Maura Corrigan, Director  
of Human Services

Date Signed: 04/25/11

Date Mailed: 04/26/11

**NOTICE:** Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

LMF/dj

cc:

[Redacted]

Wayne County DHS (Dist #31)

[Redacted]

Administrative

Hearings