

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-23220
Issue No.: 2000
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: April 6, 2011
Macomb County DHS

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437 upon the Claimant's request for a hearing. After due notice, an in person hearing was held on April 6, 2011. The Claimant was represented by her Authorized Representative (AR), [REDACTED]

ISSUE

Did the Department properly process the Claimant's Medical Assistance (MA)?

FINDINGS OF FACT

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

1. On February 18, 2010, the Claimant filed an applications for MA and retroactive MA.
2. On August 3, 2010, the Claimant a request for a hearing.

CONCLUSIONS OF LAW

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, et seq., and MCL 400.105. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

STANDARDS OF PROMPTNESS

All Programs

The standard of promptness (SOP) begins the date the Department receives an application/filing form, with minimum required information.

Exception #1: For **FAP**, the SOP begins when the **correct** local office receives it; see [BAM 110](#), WHERE TO APPLY/PROCESS APPLICATIONS, FAP ONLY.

Exception #2: For **FAP**, when a person applies for SSI and FAP before being released from a medical institution, the SOP begins on the applicant's date of release.

See BAM 105, for the minimum required information for filing.

Process applications and requests for member adds as quickly as possible, with priority to the earliest application date; see [Processing Delays](#) in this item. Requests for member adds must be entered in Bridges.

FIP, SDA, RAP, CDC, MA and AMP Only


Certify program approval or denial of the application within 45 days. Bridges automatically generates the client notice and if applicable, the CDC provider notice. (BAM 115, p. 11).

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24. 278(2). In the instant case, the parties reached an accord. The Department agreed to reregister the Claimant's MA and retroactive MA applications back to February 18, 2010.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Department and Claimant have come to an agreement and ORDERS the Department to reregister the Claimant's MA and

retroactive MA applications back to February 18, 2010.


Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: May 19, 2011

Date Mailed: May 19, 2011

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 receipt 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.

MJB/ hw

cc:


Macomb County DHS (20)/ 1843


Administrative Hearing System