

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-23224
Issue No.: 2001
Case No.: [REDACTED]
Hearing Date: May 26, 2011
DHS County: Macomb (50-20)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan, on Thursday, May 26, 2011. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department of Human Services ("Department").

ISSUE

Whether the Department properly terminated the Claimant's Adult Medical Program ("AMP") benefits?

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 was an AMP recipient.
2. On October 16, 2010, the Claimant's AMP benefits were terminated reportedly due to the Claimant obtaining other medical coverage.
3. The Claimant did not have other medical coverage.
4. On December 21, 2010, the Department received the Claimant's timely written request for hearing.

CONCLUSIONS OF LAW

The Adult Medical Program is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act; and is administered by the Department (formerly known as the Family Independence Agency) pursuant to MCL 400.10 *et seq.* Department policies are contained in the Bridges Administrative Manual (“BAM”), the Bridges Eligibility Manual (“BEM”), and the Bridges Reference Manual (“BRM”).

In this case, the Department was unable to explain why INRCTOLONR, a ghost user in Bridges, closed the Claimant’s AMP benefits. The Claimant was not covered under any other medical coverage. In light of the foregoing, it is found that the Department’s actions are not upheld.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Department’s closure of AMP benefits is not upheld.

Accordingly, it is ORDERED:

1. The Department’s termination of AMP benefits is not upheld.
2. The Department shall re-open the Claimant’s AMP benefits back to the date of closure in accordance with Department policy.
3. The Department shall supplement for lost benefits (if any) that the Claimant was entitled to receive if otherwise eligible and qualified in accordance with Department policy.

Colleen M. Mamelka

Colleen M. Mamelka
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: June 6, 2011

2011-23224/CMM

Date Mailed: June 8, 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 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.

CMM/pf

cc:

