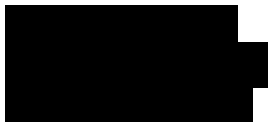


STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

Issue



Wayne

Hearing

June

Reg

No: 201124396

No: 2013

Case No:



Date:

6, 2011

County DHS-55

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

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 held on June 6, 2011. The Claimant appeared at the hearing and testified. [REDACTED] FIM and [REDACTED] appeared on behalf of the Department.

ISSUE

Was the Department correct in determining Claimant's Medicaid Eligibility?

FINDINGS OF FACT

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

- (1) Claimant's was approved for MA-Ad Care in November 2010.
- (2) Claimant did not check the box alleging she was disabled in her November 2010 application.
- (3) Claimant's MA-Ad Care benefit was closed effective February 1, 2011 due to it being opened in error.
- (4) Claimant was found to be not eligible for MA.
- (5) Claimant has \$931 income from social security.

- (6) Claimant requested a hearing on March 9, 2001 contesting the closure of MA benefits.
- (7) Claimant applied for MA-P on March 26, 2010 and was denied in April 2010.
- (8) Claimant did not file a timely request for hearing regarding the April 2010 denial.

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 Bridges Administrative Manual (PAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

The Medical Assistance program was designed to assist needy persons with medical expenses. The State of Michigan has set guidelines for income, which determines if a MA group falls within the needy classification.

In the present case, Claimant was approved for MA-Ad Care in November 2010 in error. Claimant did not allege she was disabled in her November 2010 MA application. This ALJ finds that the Department has acted in accordance with Department policy and law in closing Medical assistance. Claimant was advised to reapply for MA-P assistance.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law decides that the Department was correct in the determination of Medical Assistance, and it is ORDERED that the Department's decision in this regard be and is hereby AFFIRMED.

Aaron
Administrative
for
Department



McClintic
Law Judge
Maura Corrigan, Director
of Human Services

Date Signed: June 29, 2011

Date Mailed: June 29, 2011

2011-24396/AM

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 60 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.

AM/ctl

cc: [REDACTED]
Wayne County DHS (55)

A. [REDACTED] McClintic
Administrative Hearings