


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

IN THE MATTER OF:



Reg. No.: 201124567
Issue No.: 2001
Case No.: 
Hearing Date: July 27, 2011
Washtenaw County DHS

ADMINISTRATIVE LAW JUDGE: Christopher S. Saunders

HEARING DECISION


This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on July 27, 2011. Claimant participated and testified. Other participants were N/A.

ISSUE

Did the Department of Human Services (Department) properly deny close Claimant's Adult Medical Assistance (AMP) application case due to excess income?

FINDINGS OF FACT

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

1. Claimant applied for was a recipient of AMP benefits.
2. Claimant was was not living with a spouse during the time period in question.
3. The total countable income of Claimant's household was  at all times relevant to this matter.
4. The Department denied closed Claimant's application case due to excess income.
5. On November 29, 2010, the Department sent notice of the denial closure to Claimant.

6. On December 29, 2010, Claimant filed a hearing request, protesting the denial closure of the application case.

CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XIX of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

Based on the above Findings of Fact, and for reasons stated on the record, the Administrative Law Judge concludes that the Department properly improperly denied closed Claimant's AMP application case.

DECISION AND ORDER

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, finds that the Department did did not act properly.

Accordingly, the Department's AMP decision is AFFIRMED REVERSED for the reasons stated on the record.

/s/ _____

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

Date Signed: July 27, 2011

Date Mailed: July 28, 2011

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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.

CSS/ds

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