

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-24772

Issue No: 2012

[REDACTED]

Mason County DHS

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing filed on March 23, 2011. After due notice, a telephone hearing was held June 1, 2011. The law, MCL 24.278(2) provides that a disposition may be made of a contested case hearing by stipulation or agreed settlement. In this case, Claimant's representative, his mother, requested a hearing protesting that Claimant was receiving Medical Assistance (MA) under the wrong Medicaid program because he was a disabled adult.

The department stated that after receiving Claimant's hearing request, the department found that Claimant had applied for Medicaid in 2008 and had been incorrectly placed in the Medicaid deductible program. The department explained that Claimant is a disabled adult and should have been found eligible under the Disabled Adult Children Medicaid (DAC-MA) program at the time of application, not the Medicaid deductible program.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.906 and 400.903, Claimant's hearing request is **HEREBY DISMISSED**, because Claimant is no longer aggrieved by a department action, in that the department agrees they have made an error and Claimant is eligible for the DAC-MA program retroactive to his application date in 2008.

DECISION AND ORDER

The Administrative Law Judge, based on the agreed upon settlement, **ORDERS** that Claimant's hearing request is dismissed. The department has determined that Claimant was eligible at time of application for the Disabled Adult Children Medicaid (DAC-MA) program retroactive to his original application in 2008. Therefore, the department **SHALL** process the necessary paperwork and place Claimant in the Disabled Adult Children Medicaid (DAC-MA) program and issue supplement benefits to Claimant for

any months he paid a deductible since his application in 2008 if he is otherwise entitled to them.

It is SO ORDERED.

_____/s/_____
Vicki L. Armstrong
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: 6/7/11

Date Mailed: 6/7/11

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.

VLA/ds

■ [REDACTED]