

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-2731
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: January 31, 2011
Oakland County DHS (02)

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

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 January 31, 2011. The claimant appeared and testified. On behalf of Department of Human Services (DHS), [REDACTED], Specialist, and [REDACTED] Manager, appeared and testified.

ISSUE

Whether DHS processed medical bills submitted by Claimant intended to be applied toward Claimant's Medical Assistance (MA) benefits for 7/2010 and 8/2010.

FINDINGS OF FACT

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

1. Claimant was an ongoing MA benefit recipient.
2. Claimant submitted medical bills to DHS which were intended to be applied towards Claimant's MA deductible for 7/2010 and 8/2010.
3. On 9/20/10, Claimant requested a hearing disputing the failure by DHS to process Claimant's medical bills towards Claimant's deductible for 7/2010 and 8/2010.
4. Claimant also requested a hearing to dispute the amount of her Food Assistance Program (FAP) benefits though Claimant states that this issue is currently resolved.

5. DHS eventually processed medical bills towards Claimant's deductible for 7/2010 and 8/2010 resulting in Medicaid for Claimant for those two months.

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 (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

MA provides medical assistance to individuals and families who meet financial and nonfinancial eligibility factors. The goal of the MA program is to ensure that essential health care services are made available to those who otherwise would not have financial resources to purchase them.

A recipient with excess income for ongoing Medicaid may still be eligible for Medicaid under the deductible program. Clients with a Medicaid deductible may receive Medicaid if sufficient allowable medical expenses are incurred. Each calendar month is a separate deductible period. The fiscal group's monthly excess income is called the deductible amount. Meeting a deductible means reporting and verifying allowable medical expenses that equal or exceed the deductible amount for the calendar month. BEM 545 at 9. The client must report medical expenses by the last day of the third month following the month in which the group wants MA coverage. *Id.*

The present case initially involved a dispute over Claimant's MA coverage from 7/2010 and 8/2010. Claimant was approved for Medicaid subject to an unspecified deductible for 7/2010 and 8/2010. Claimant testified that she timely submitted medical bills from 7/2010 and 8/2010 but failed to receive written notice from DHS concerning applying the medical bills to Claimant's deductible. Though DHS failed to initially process Claimant's medical bills, DHS indicated that Claimant now has Medicaid coverage for 7/2010 and 8/2010. Now that DHS has processed Claimant's medical bills toward Claimant's deductible resulting in Medicaid coverage for Claimant, Claimant no longer seeks a remedy from DHS. Thus, there is no current dispute concerning Claimant's MA coverage. As Claimant no longer disputes an action by Department of Human Services (DHS), it is not necessary for the undersigned to decide the matter that was previously in dispute. Pursuant to MAC R 400.906 and 400.903, Claimant's hearing request is hereby DISMISSED.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that DHS has resolved the issues that led to the filing of Claimant's hearing request. As there are no longer any issues within dispute, Claimant's hearing request is hereby DISMISSED.

Christian Gardocki

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

Date Signed: 2/7/2011

Date Mailed: 2/7/2011

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 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.

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