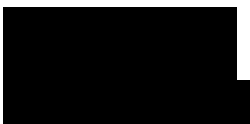


STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg No: 201130612
Issue No: 2015
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date: June 2, 2011
DHS County: Wayne County DHS-49

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

DECISION AND ORDER

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 2, 2011. The Claimant appeared and testified. Ms. Connie Peterson ES appeared on behalf of the Department of Human Services (Department).

ISSUE

Was the Department correct in closing Claimant's Medical Assistance benefits?

FINDINGS OF FACT

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

- (1) Claimant received MA-Healthy Kids for Pregnant Women.
- (2) Claimant was no longer pregnant and the Department closed her case effective [REDACTED].
- (3) Claimant requested a hearing on [REDACTED] contesting the closure of MA benefits.

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 Program Reference Manual (PRM).

MA is available to parents and other caretaker relatives who meet the eligibility factors in this item. All eligibility factors must be met in the calendar month being tested. If the month being tested is an L/H month and eligibility exists, go to BEM 546 to determine the post-eligibility patient-pay amount. A caretaker relative is a person who meets all of the following requirements: • Except for temporary absences, the person lives with a dependent child. Use "CARETAKER RELATIVE NONFINANCIAL TEMPORARY ABSENCE" below. BEM 135

In the present case, Claimant was no longer pregnant and her case closed because the case was based on her being a pregnant. BEM 135 This was in accordance with Department policy and is proper and correct. Claimant acknowledged at the hearing she was no longer pregnant at the time of the closure. This ALJ finds that the Department has acted in accordance with Department policy and law in closing Medical Assistance benefits. Claimant raised issues with regard to her health problems preventing her from working. Claimant was advised for Medicaid based on disability.

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 denial of Claimant's MA application, and it is ORDERED that the Department's decision is hereby AFFIRMED.

/s/ _____
Aaron McClintic
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: June 8, 2011

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 60 days of the filing of the original request.

2011-30612/AM

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.

cc:

