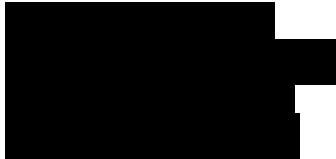


STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

**IN THE MATTER OF:**



Reg. No.: 2011-32288  
Issue No.: 2026  
Case No.: [REDACTED]  
Hearing Date: August 24, 2011  
DHS County: Wayne (82)

**ADMINISTRATIVE LAW JUDGE:** Michael J. Bennane

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; M SA 16.437 upon the claimant's request for a hearing. After due notice a telephone hearing was held on from Detroit, Michigan on August 24, 2011. The claimant was represented by his spouse [REDACTED].

**ISSUE**

Did the Department of Human Services (Department) properly figure his Medical Assistance (MA) deductible?

**FINDINGS OF FACT**

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

1. The Department calculated the claimant's deductible as being \$508.00 and notified him of same.
2. The claimant's net income is \$2,554.00 per month. (Department exhibit 1).
3. On May 23, 2011, the claimant filed a request for a hearing protesting the deductible amount for his MA.

**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 Bridges Reference Manual (BRM).

In the instant case, the claimant questions the Department's calculation of his MA benefits.


The undersigned has reviewed the MA budget and found it to be correct. The patient allowance is \$60.00, the community spouse allowance is \$1,985.25, the unearned income is \$2,554.00 per month, this equals the \$508.00 deductible.

The claimant testified that he could not afford the deductible. This Administrative Law Judge sympathizes with the claimant but there is nothing that can be done to change the above equation.

### **DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, AFFIRMS the Department's actions in the instant case.

Michael  
Administrative  
for  
Department

  
\_\_\_\_\_  
J. Bennane  
Law Judge  
Maura Corrigan, Director  
of Human Services

Date Signed: September 8, 2011

Date Mailed: September 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 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.

MJB/cl

2011-32288/MJB

cc:

