

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

IN THE MATTER OF THE CLAIM OF:

[REDACTED]

Reg. No.: 2011-34006  
Issue No.: 2006  
Case No.: [REDACTED]  
Hearing Date: June 29, 2011  
Oakland County DHS

**ADMINISTRATIVE LAW JUDGE:** Susan C. Burke

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing. After due notice, a telephone hearing was held on June 29, 2011. Claimant's Authorized Hearing Representative, [REDACTED] appeared on behalf of Claimant, who was not present at the hearing. [REDACTED] appeared on behalf of the Department of Human Services (Department or DHS.)

**ISSUE**

Was the Department correct in its decision to deny Claimant's application for Medical Assistance (MA) due to refusal to cooperate in verifying information?

**FINDINGS OF FACT**

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

1. Claimant applied for MA.
2. The Department issued a Verification Checklist with proofs due by April 11, 2011.
3. Claimant did not obtain the requested proofs.
4. The Department denied Claimant's MA application due to failing to provide the requested proofs.
5. Claimant requested a hearing, protesting the denial.

**CONCLUSIONS OF LAW**

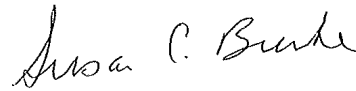
The Medical Assistance (MA) program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *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).

Clients must cooperate with the local DHS office in obtaining verification for determining initial and ongoing eligibility. BAM 130. The questionable information might be from the client or a third party. *Id.* The Department can use documents, collateral contacts or home calls to verify information. *Id.* The client should be allowed 10 calendar days to provide the verification. If the client cannot provide the verification despite a reasonable effort, the time limit to provide the information should be extended at least once. BAM 130. If the client refuses to provide the information or has not made a reasonable effort within the specified time period, then policy directs that a negative action be issued. BAM 130.

In the present case, Claimant's Authorized Hearing Representative (AHR) testified that Claimant lives with him and that the Verification Checklist was received in the mail by Claimant and the AHR. The AHR, who is not Claimant's guardian, urged Claimant to obtain medical reports, but she did not. The AHR stated that Claimant has a mental disability but the AHR is unable to obtain the proofs on Claimant's behalf. While I sympathize with the AHR, policy requires that proofs be returned to the Department so the MA application may be properly processed.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law decides that the Department was correct in its decision to deny Claimant's MA application, and it is therefore ORDERED that the Department's decision is AFFIRMED.



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Susan C. Burke  
Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: 7/1/11

Date Mailed: 7/1/11

**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.

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