

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

IN THE MATTER OF:

[REDACTED]

Reg No. 2011-43272  
Issue No. 2009/4031  
Case No. [REDACTED]  
Hearing Date: October 27, 2011  
Ionia County DHS

**ADMINISTRATIVE LAW JUDGE:** Vicki L. Armstrong

**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 October 27, 2011. Claimant was present, and represented by Medical Advocate Consultant [REDACTED]

**ISSUE**

Did the department properly determine Claimant's disability status for Medicaid (MA)/retro-MA and State Disability Assistance (SDA) eligibility purposes?

**FINDINGS OF FACT**

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

1. On June 3, 2011, claimant applied for MA/Retro-MA and SDA.
2. On August 16, 2011, the department's State Hearing Review Team (SHRT) issued a prehearing denial of Claimant's application.
3. Claimant promptly requested a hearing, at which, the presiding Administrative Law Judge granted Claimant's attorney's request for a record extension to submit updated examination and treatment documents.
4. These documents were submitted to SHRT for a post-hearing review.
5. On December 7, 2011, SHRT reversed its earlier denial of Claimant's disputed MA/Retro-MA and SDA application based on a Fully Favorable Social Security Decision, with an established on-set date of 9/12/09, which was attached to the SHRT decision.

**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 (DHS or department) 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).

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and Mich Admin Code, Rules 400.3151-400.3180. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

In the present case, SHRT reversed its earlier finding of lack of disability based on the SSA's disability allowance, received while Claimant's appeal was pending, currently establishing Claimant is disabled and has been disabled at all times relevant to her MA/Retro-MA and SDA application.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department, through SHRT, properly determined Claimant's disability status upon consideration of the Fully Favorable Social Security Disability decision reviewed for the first time after the hearing.

Accordingly, the department's decision is AFFIRMED, and it is Ordered that:

1. The department shall approve MA/Retro-MA and SDA benefits effective December 2010 for Claimant as long as she is otherwise eligible to receive them.
2. Departmental review of Claimant's medical condition is not necessary as long as her SSA disability status continues.

It is SO ORDERED.



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

Date Signed: 12/9/11

Date Mailed: 12/9/11

**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 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.

VLA/ds

■ [REDACTED]