

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

IN THE MATTER OF:



Reg. No.: 201150521
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: July 10, 2013
County: Wayne County (#15)

ADMINISTRATIVE LAW JUDGE: MICHELLE HOWIE

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's August 28, 2009 request for a hearing. After due notice, a telephone hearing was conducted on Wednesday, July 10, 2013, from Detroit, Michigan. Participants on behalf of Claimant was Authorized Hearing Representative (AHR), [REDACTED]. Participant on behalf of the Department of Human Services (Department) was [REDACTED] (Assistant Payment Worker).

ISSUE

Whether the Department properly processed the Claimant's application for Medical Assistance (MA)?

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 April 14, 2009, the Department received an application for Medicaid with request for retro MA to February 2009 from L & S Associates as Authorized Hearing Representative (AHR) on behalf of the Claimant.
2. The Department activated MA coverage for February 2009, but not for March or April 2009.
3. On August 28, 2009, the Department received a written hearing request from L&S on behalf of Claimant concerning the processing of the MA application.
4. At hearing, the parties reached a settlement agreement.

CONCLUSIONS OF LAW

The Department of Human Services (DHS) policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Relief Manual (ERM).

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.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, the Authorized Hearing Representative requested a hearing on behalf of Claimant to dispute the Department's action. Soon after commencement of the hearing, the parties reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: Activate Claimant's MA coverage for March and April 2009.

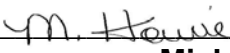
As a result of this settlement, the AHR no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and the AHR have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF THIS DECISION:

1. The Department shall activate Claimant's retro MA coverage for March and April 2009.
2. The Department shall notify the AHR in writing of the action taken regarding the retro MA coverage for the period in question.



Michelle Howie
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

2011-50521/MH

Date Signed: 7/22/2013

Date Mailed: 7/22/2013

NOTICE: 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.

CG/hw

cc:

