

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

[REDACTED]

Reg. No: 20116201
Issue No: 2001
Case No: [REDACTED]
Hearing Date:
March 28, 2011
Macomb County DHS-12

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 March 28, 2011. The Claimant appeared and testified. [REDACTED] ES appeared on behalf of the Department.

ISSUE

Did the Department properly deny Claimant's Adult Medical Program application due to excess income?

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 applied for AMP benefits in October 2010.
2. On October 22, 2010 the Department denied Claimant's AMP application due to excess income.
3. Claimant received gross unemployment benefit of \$1448 per month at the time of application.
4. Claimant pays \$344 per month in child support.
5. Claimant requested a hearing on October 28, 2010 contesting the denial of AMP benefits.

6. Claimant stated at hearing that she was satisfied with the Department's actions with regard to FAP.

CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

In the present case, Claimant had unearned income of \$1448 per month from unemployment benefits. After subtracting \$344 in child support paid per month, Claimant's net income was \$1104. The net income limit for AMP is \$316. RFT 236. Therefore Claimant does have excess net income and is ineligible for the Adult Medical Program. This is the determination made by the Department, and it is correct. Claimant testified that his unemployment ran out in January 2011. It was explained to Claimant that this decision was based on his circumstances at the time of application. Claimant was advised to reapply for benefits.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that the Department properly denied the Claimant's AMP application, and it is ORDERED that the Department's decision in this regard be and is hereby AFFIRMED.



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

Date Signed: 4/15/11

Date Mailed: 4/15/11

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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