

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

IN THE MATTER OF THE CLAIM OF:

[REDACTED]

Reg. No.: 20119166  
Issue No.: 2006  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date: March 17, 2011  
Macomb County DHS

**ADMINISTRATIVE LAW JUDGE:** Aaron McClintic

**HEARING DECISION AND ORDER**

This matter is before the undersigned Administrative Law Judge upon pursuant to MCL 400.9; MCL 400.37 upon Claimant's request for a hearing. After due notice, a telephone hearing was held on March 17, 2011. The Claimant appeared along with his wife [REDACTED] and both testified. [REDACTED] Assistance Payments Worker, appeared on behalf of the Department.

**ISSUE**

Was the Department correct in closing Claimant's MA case?

**FINDINGS OF FACT**

- (1) Claimant was Medicaid recipient with a deductible.
- (2) Pursuant to a scheduled review, a verification checklist was sent to Claimant on October 29, 2010 with a November 8, 2010 due date.
- (3) Claimant failed to provide the requested verifications and did not request an extension.
- (4) On October 29, 2010, the case was put into negative action.
- (5) On December 1, 2010, Claimant's MA case closed.
- (6) Claimant requested hearing on November 23, 2010 contesting the closure of his MA benefits.

### **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 Program Reference Manual (PRM).

Clients must cooperate with the local office in determining initial and ongoing eligibility to provide verification. BAM 130, p. 1. 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 should be extended at least once. BAM 130, p.4; BEM 702. 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, p. 4.

In the present case, the Department was correct in closing Claimant's case after verifications were not received. Claimant failed to cooperate with Department policy and procedures and did not have good cause for failing to do so.

**DECISION AND ORDER**

Therefore it is ORDERED that the Department decision to close Claimant's MA case for failing to return verifications is AFFIRMED.



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

Date Signed: May 6, 2011

Date Mailed: May 6, 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.

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