

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No: 201217373  
Issue No: 2006  
Case No: [REDACTED]  
Hearing Date: February 15, 2012  
Eaton County DHS

**ADMINISTRATIVE LAW JUDGE:** William A. Sundquist

**HEARING DECISION**

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 3-way telephone hearing was held on Wednesday, February 15, 2012. Claimant appeared with her authorized representative, [REDACTED]

**ISSUE**

Did L&S Associates, Inc. receive VCL dated July 5, 2011?

**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 20, 2011, claimant applied for Medicaid (MA-P), was denied on August 2, 2011, and requested a hearing on October 5, 2011.
2. On June 20, 2011, the Department of Human Services sent the claimant a VCL for all medical records for the last 12 months and proof of a social security application with a return due-date of June 30, 2011.
3. On July 5, 2011, an additional VCL was sent to the claimant requesting a DHS-F and DHS-49G along with a request for a bank statement from June 2011 with a return due-date of July 15, 2011.
4. As of August 2, 2011, the requested VCL for June 2011, bank statement and proof of social security application had not been returned.

**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 Program Administrative Manual (BAM), the Program Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Facts above are undisputed, except for 2, 3 and 4.

In the VCL dated June 20, 2011, there was no request for proof of a social security application (DHS Exhibit, Page 74).

The [REDACTED] testified that [REDACTED] never received the VCL dated July 5, 2011; and the Department of Human representative provided no evidence to the contrary.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that L&S did not receive a VCL dated July 5, 2011.

Accordingly, Medicaid denial is **REVERSED**, and the Department of Human Services is ORDERED to send L&S the VCL dated July 5, 2011 within 10 work days.

/s/  
William A. Sundquist  
Administrative Law Judge  
For Maura D. Corrigan, Director  
Department of Human Services

Date Signed: March 23, 2012

Date Mailed: March 23, 2012

**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.

201217373/WAS

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.

WAS/tb

cc:

