

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201219945
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: April 16, 2012
County: Oakland DHS (04)

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on April 16, 2012, from Detroit, Michigan. Participants on behalf of Claimant included [REDACTED]. Participants on behalf of the Department of Human Services (Department) included [REDACTED], Manager.

ISSUE

The issue is whether DHS properly failed to process Claimant's Medicaid eligibility for 10/2010.

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 an unspecified date, Claimant applied for Medical Assistance (MA) benefits for 10/2010.
2. On an unspecified date, DHS found that Claimant was eligible for Medicaid for 10/2010 subject to a \$679 deductible.
3. DHS has yet to issue Medicaid for Claimant for the benefit month of 10/2010.
4. On 11/28/11, Claimant filed a request for hearing concerning the Department's failure to process Medicaid for Claimant for 10/2010.

CONCLUSIONS OF LAW

Department 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, Claimant requested a hearing to dispute the Department's failure to process Medicaid for Claimant for the benefit month of 10/2010. DHS agreed that Claimant was entitled to Medicaid for 10/2010 but the issuance of benefits was hampered due to difficulties with the DHS computer system. DHS also agreed that the proper remedy was to resolve the computer system problem and to issue MA benefits to Claimant for 10/2010. Consequently, the Department agreed to issue Medicaid benefits to Claimant for 10/2010 subject to a \$679/month deductible.

DECISION AND ORDER

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

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

- process Medicaid for Claimant subject to a \$679/month deductible for benefit month 10/2010.



Christian Gardocki
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: April 17, 2012

Date Mailed: April 17, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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. (60 days for FAP cases).

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:

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