

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

**IN THE MATTER OF:**



Reg. No: 201222127  
Issue No: 2009  
Case No: [REDACTED]  
Hearing Date: March 7, 2012  
Sanilac County DHS

**ADMINISTRATIVE LAW JUDGE:** Kevin Scully

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437 upon Claimant's request for a hearing to protest the department's denial of Medical Assistance (MA) with retroactive coverage. After due notice, a telephone hearing was held on Wednesday, March 7, 2012.

**ISSUE**

Whether Claimant meets the disability criteria for Medical Assistance based on disability with retroactive coverage?

**FINDINGS OF FACT**

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds a material fact:

1. On September 22, 2011, the Claimant applied for Medical Assistance (MA) with retroactive coverage.
2. On December 8, 2011, the Medical Review Team (MRT) determined that the Claimant did not meet the disability standard for Medical Assistance (MA) because it determined that the Claimant is capable of performing other work.
3. On February 7, 2012, the State Hearing Review Team (SHRT) upheld the Medical Review Team's (MRT) denial of Medical Assistance (MA) with retroactive coverage.
4. The Claimant submitted additional medical documentation that was not available at the time of the hearing. After further review, SHRT approved Claimant's claim of disability on April 23, 2012.

**CONCLUSIONS OF LAW**

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. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Because of the SHRT determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability, per Program Administrative Manual, Item 600.

The department is required to initiate a determination of Claimant's financial eligibility for the requested benefits, if not previously done. The Claimant is eligible for MA-P based on the Claimant's September 22, 2011, application for assistance.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law decides that the Claimant meets the definition of medically disabled under the Medical Assistance program with retroactive coverage based on the Claimant's September 22, 2011, application.

Accordingly, the department is ORDERED to initiate a review of the September 22, 2011, application, if it has not already done so, to determine if all other non-medical eligibility criteria are met. The department shall inform the Claimant of the determination in writing.

/s/  
Kevin Scully  
Administrative Law Judge  
For Maura D. Corrigan, Director  
Department of Human Services

Date Signed: April 25, 2012

Date Mailed: April 25, 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.

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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.

KS/tb

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