STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM FOR THE DEPARTMENT OF COMMUNITY HEALTH

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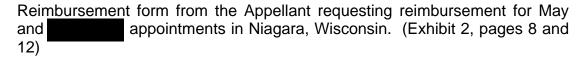
IN THE MATTER OF:		
Docket No. 2012-24638 TRN		
Appellant /		
DECISION AND ORDER		
This matter is before the undersigned Administrative Law Judge (ALJ) pursuant to M 400.9 and 42 CFR 431.200 <i>et seq.</i> , upon the Appellant's request for a hearing.	1CL	
After due notice, a hearing was held on appeared on her own behalf. represented the Department. witness on behalf of the Department. The hearing record was left open for two we for both parties to submit additional documentation. Additional documentation were received from the Appellant.	cer, s a eks	
ISSUE		
Did the Department properly deny the Appellant's requests for medical transportative reimbursement for trips to a pain clinic in Niagara, Wisconsin?	tion	
FINDINGS OF FACT		
The Administrative Law Judge, based upon the competent, material and substart evidence on the whole record, finds as material fact:	ntial	
The Appellant is a Medicaid beneficiary.		
2. Around the General Health System referred at the (Exhibit 2, page 2)	the	
3. On Statement, the Department received a Medical Transportation Statement from the Appellant requesting mileage reimbursement for appointment in Niagara, Wisconsin. (Exhibit 2, page 5)		

4. On

Statement

the Department received a Medical Transportation

and Expense Itemization for Medical Transportation



- 5. On the Department received Medical Transportation Statements from the Appellant requesting mileage reimbursement for appointments in appointments in appointment (Exhibit 2, pages 13 and 16)
- 6. On Statement from the Appellant requesting mileage reimbursement for appointments in (Exhibit 2, page 19)
- 7. On the Department denied the Appellant's requests for medical transportation mileage reimbursement based on policy regarding transportation costs to meet a client's personal choice of provider for routine medical care outside the community when comparable care is available locally. (Exhibit 1, page 8)
- 8. On the Appellant's Request for Hearing was received by the Michigan Administrative Hearing System. (Exhibit 1, pages 4-7)

CONCLUSIONS OF LAW

The Medicaid program was established pursuant to Title XIX of the Social Security Act (SSA) and is implemented by 42 USC 1396 *et seq.*, and Title 42 of the Code of Federal Regulations (42 CFR 430 *et seq.*). The program is administered in accordance with state statute, the Social Welfare Act (MCL 400.1 *et seq.*), various portions of Michigan's Administrative Code (1979 AC, R 400.1101 *et seq.*), and the State Plan promulgated pursuant to Title XIX of the SSA.

Policy addressing medical transportation coverage under the State Medicaid Plan is found in the Bridges Administrative Manual (BAM), 825 Medical Transportation:

COVERED MEDICAL TRANSPORTATION

Medical transportation is available to obtain medical evidence or receive any MA-covered service from any MA-enrolled provider, including:

- Chronic and ongoing treatment.
- Prescriptions.
- Medical Supplies,
- Onetime, occasional and ongoing visits for medical care.

Exception: Payment may be made for transportation to VA hospitals and hospitals with do not charge for care (e.g., St. Jude Children's Hospital, Shrines Hospital).

MEDICAL TRANSPORTATION NOT COVERED

Do not authorize payment for the following:

- Transportation for noncovered services (e.g., AA meetings, medically unsupervised weight reduction, trips to pharmacies for reasons other than obtaining MAcovered items).
- Reimbursement for transportation for episodic medical services and pharmacy visits that has already been provided.
- Transportation costs for long-term care (LTC) residents.
 LTC facilities are expected to provide transportation for services outside their facilities.
- Transportation costs to meet a client's personal choice of provider for routine medical care outside the community when comparable care is available locally. Encourage clients to obtain medical care in their own community unless referred elsewhere by their local physician.
- DCH authorized transportation for clients enrolled in managed care is limited. See "CLIENTS IN MANAGED CARE."

Exception: Dental, substance abuse or community mental health services are not provided by managed care; therefore, an DCH authorization for medical transportation for these services may still be necessary.

Transportation services that are billed directly to MA.
 See "BILLED DIRECTLY TO DCH."

Bridges Administrative Manual (BAM), 825 Medical Transportation Pages 2-3 of 17, January 1, 2011 (Underline added by ALJ)

The Department denied the Appellant's requests for medical transportation reimbursement to a provider in that she denied the requests because the services the Appellant received in Wisconsin

Specialist testified she spoke with the there is a doctor in town that does this pro) The Eligibility Specialist stated she would are is done in but no
available locally and a copy of the referr this provider in (Exhi	al from her doctors that the treatment is not General Health System to bit 2, pages 2-4) The Appellant explained that but they only perform office
receives in is availar statements from her doctors that the treat referral from General Health Sy	nt evidence that the treatment the Appellant able locally. Rather, the Appellant provided ment is not available locally and a copy of the ystem to the pain clinic in ation to deny the Appellant's requests for the clinic in the clinic in the second control of the clinic in the secon
DECISION AND ORDER	
• · · · · · · · · · · · · · · · · · · ·	the above findings of fact and conclusions of nproperly denied the Appellant's medical for travel to the pain clinic in
IT IS THEREFORE ORDERED that:	
•	EVERSED. The Department is ordered to s to the pain clinic in from
	Colleen Lack Administrative Law Judge
	for Olga Dazzo, Director
cc:	Michigan Department of Community Health

Date Mailed: 6-12-12

*** NOTICE ***

The Michigan Administrative Hearing System may order a rehearing on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. The Michigan Administrative Hearing System will not order a rehearing on the Department's motion where the final decision or rehearing cannot be implemented within 90 days of the filing of the original request. The Appellant 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 of the rehearing decision.