

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

**IN THE MATTER OF:**



Reg. No: 201227602 / 201227045  
Issue No: 2006, 3008, 4003  
Case No: [REDACTED]  
Hearing Date: February 28, 2012  
Macomb County DHS

**ADMINISTRATIVE LAW JUDGE:** Kevin Scully

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37. Claimant's requests for a hearing were received on December 20, 2011, and January 17, 2012. The Claimant's two hearing requests both involve an application for Medical Assistance (MA), State Disability Assistance (SDA), and Food Assistance Program (FAP). The Claimant requested that his two hearing requests be combined because it is difficult for him to travel to the DHS office. After due notice, a telephone hearing was held on Tuesday, February 28, 2012.

The Claimant had requested a hearing on December 20, 2011, protesting the denial of an application for State Emergency Relief (SER) benefits. During the hearing on February 28, 2012, the Claimant testified that he no longer protests the denial of State Emergency Relief (SER) benefits.

**ISSUE**

Whether the Department of Human Services (Department) properly determined that the Claimant failed to submit information necessary to determine his eligibility for Medical Assistance (MA), State Disability Assistance (SDA), and Food Assistance Program (FAP) benefits?

**FINDINGS OF FACT**

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

1. The Claimant applied for Medical Assistance (MA), State Disability Assistance (SDA), and Food Assistance Program (FAP) benefits on November 3, 2011.
2. The Claimant was approved for expedited Food Assistance Program (FAP) benefits.

3. On December 29, 2011, the Department sent the Claimant a Verification Checklist with a due date of January 9, 2012. The Department requested that the Claimant provide the Department with verification of his disability and proof of his self-employment income.
4. On January 10, 2012, the Department notified the Claimant that it had denied his application for Medical Assistance (MA), and State Disability Assistance (SDA) for failure to provide information necessary to determine his eligibility to receive benefits. The Department also closed the Claimant's Food Assistance Program (FAP) benefits case.
5. The Department received the Claimant's request for a hearing on December 20, 2011, and January 17, 2012, protesting the denial of Medical Assistance (MA), State Disability Assistance (SDA), and Food Assistance Program (FAP) 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 (DHS or Department) 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), Reference Table Manual (RFT), and the Bridges Reference Manual (BRM).

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

The Food Assistance Program (FAP) (formerly known as the Food Stamp program, is established by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or Department), administers the FAP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3001-3015. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), Reference Table Manual (RFT), and the Bridges Reference Manual (BRM).

Clients must cooperate with the local office in determining initial and ongoing eligibility. This includes the completion of necessary forms. BAM 105. Verification means documentation or other evidence to establish the accuracy of the client's verbal or written statements. BAM 130. Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level when it is required by policy, required as a local office option, or information regarding an eligibility factor is unclear, inconsistent, incomplete, or contradictory. BAM 130. The

Department uses documents, collateral contacts, or home calls to verify information. BAM 130. A collateral contact is a direct contact with a person, organization, or agency to verify information from the client. BAM 130. When documentation is not available, or clarification is needed, collateral contact may be necessary. BAM 130.

On November 3, 2011, the Claimant applied for Medical Assistance (MA), State Disability Assistance (SDA), and Food Assistance Program (FAP). The Claimant was approved for expedited Food Assistance Program (FAP) benefits. On December 29, 2011, the Department sent the Claimant a Verification Checklist with a due date of January 9, 2012. The Department requested that the Claimant provide the Department with verification of his disability and proof of his self-employment. The Department supplied the Claimant with a series of forms that are necessary for a person to complete when documenting a disability. The Department also supplied the Claimant with forms to determine his countable self-employment income.

On January 10, 2012, the Department notified the Claimant that it had denied his application for Medical Assistance (MA) and State Disability Assistance (SDA) for failure to provide information necessary to determine his eligibility to receive benefits. The Department also closed the Claimant's Food Assistance Program (FAP) benefits case for failure to provide information necessary to determine his continued eligibility to receive those benefits.

The Claimant submitted self-employment documentation to the Department on January 17, 2012, which was after the due date of January 10, 2012. No evidence was presented during the hearing that the Claimant requested assistance with his self-employment documentation or an extension to the due date. The Claimant failed to establish that he returned the necessary documentation of his disability to the Department.

This Administrative Law Judge finds that the Claimant failed to establish that he submitted the information necessary to determine his eligibility for benefits in a timely manner. Therefore, the Department was acting in accordance with policy when it denied the Claimant's application for Medical Assistance (MA) and State Disability Assistance (SDA), and when it closed the Claimant's Food Assistance Program (FAP) benefits.

### **DECISION AND ORDER**

Based upon the above findings of fact and conclusions of law, the Administrative Law Judge concludes that the Department properly denied the Claimant's application for Medical Assistance (MA) and State Disability Assistance (SDA), and properly closed the Claimant's Food Assistance Program (FAP) case for failure to provide information necessary to determine his eligibility to receive benefits.

The Department's Medical Assistance (MA), State Disability Assistance (SDA), and Food Assistance Program (FAP) eligibility determinations are **AFFIRMED**. It is SO ORDERED.

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

Date Signed: March 5, 2012

Date Mailed: March 5, 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 60 days of the filing of the original request.

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.

KS/tb

cc:

