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

IN THE MATTER OF:



Reg. No.: 2012-37240 Issue No.: 2006, 4003

Case No.: Hearing Date:

County:

June 27, 2012 Wayne (15)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claim ant's request for a hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan on Wednesday, June 27, 2012. The Claimant appeared and testified. Participating on behalf of Department of Human Services ("Department") was

ISSUE

Whether the Department proper ly terminated the Medical Assistance ("MA-P") and State Disability Assistance ("SDA") benefits effective March 1, 2012?

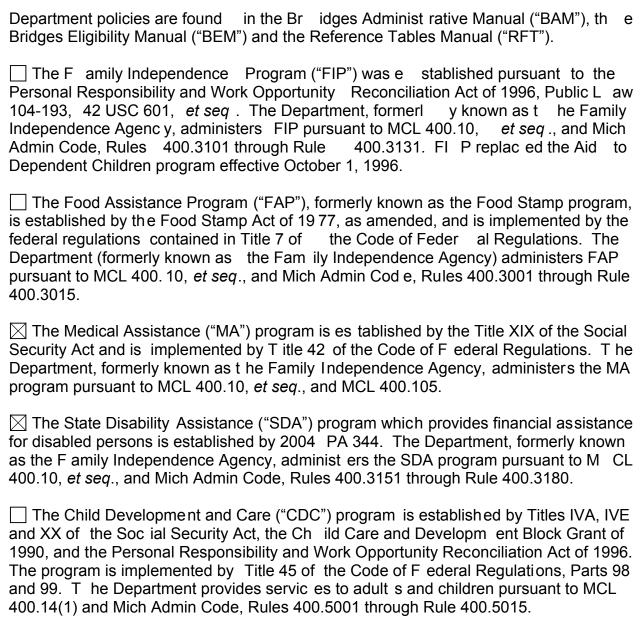
FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material, and substantia I evidence on the whole record, including testimony of witnesses, finds as material fact:

- The Claimant was a MA-P and SDA recipient.
- 2. On January 17, 2012, the Department sent a Redet ermination packet to the Claimant requesting it be returned by February 1, 2012. (Exhibit 1, pp. 1 5)
- 3. The Department did not receive the Redetermination.
- 4. On February 1, 2012, the Department se nt a Notice of Case Action to the Claimant informing her that her MA-P and SDA benefits would terminate effective March 1, 2012 based on the fail ure to complete the Redetermination process. (Exhibit 1, pp. 6 12)
- 5. On February 29, 2012, the Department received the Claimant 's written request for hearing. (Exhibit 2)

6. The Claimant's MA-P and SDA benefits terminated effective March 1, 2012.

CONCLUSIONS OF LAW



Clients must cooperate with the local office in determining initial a nd ongoing eligibility to include the completion of the necessary forms. BAM 105. Verification means documentation or other evidence to establish the accuracy of the client's verbal or written statements. BAM 130. For MA and SDA purposes, benefits stop at the end of the benefit period unless a redetermination is completed and a new benefit period is certified. BAM 210. If the client does not complete the redetermination process, benefits expire at the end of the benefit period. BAM 210.

In this case, the Department sent a R edetermination packet, regarding the Claimant's MA-P and SDA benefits, to the Claimant requesting the Re determination be submitted by February 1, 2012. The Department did not receive the Redetermination and pen ded the MA-P and SDA benefits for closure effective March 1, 2012. The Claimant testified that she submitted the Redeter mination of February 1, 2012 and that she had signed the sign in log. During the hearing and as request ed, the Department pulled the February 1, 2012 sign in sheets. After review of the 11 pages, it was confirmed that the Claimant's signature was not on the logs. In light of the foregoing, the Claimant was asked if she was sure about the February 1st date to which the Claimant responded that she was not mistaken. Ultimately, under the facts provided, the Department established that it acted in accordance with Department ent policy when it terminated the Claimant's MA-P and SDA benefits based on the failure to complete the Redetermination process. Accordingly, the Department's determination is AFFIRMED.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the re cord, finds that the Department acted in accordance with policy when it terminated the Claimant's MA-P and SDA benefits effective March 1, 2012 based on the failure to complete the Redetermination.

Accordingly, the Department's actions are AFFIRMED.

Colleen M. Mamelka

Administrative Law Judge For Maura Corrigan, Director Department of Human Services

Colleen M. Mamelka

Date Signed: July 6, 2012

Date Mailed: July 6, 2012

NOTICE: Michigan Administrative Hearing Syst em (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not order a rehearing or reconsideration on the Department's mo tion where the final decis ion 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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration MAY be granted for any of the following reasons:
 - · misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at Michigan Administrative Hearings

Re consideration/Rehearing Request P. O. Box 30639
Lansing, Michigan 48909-07322

CMM/cl

