

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201241684
Issue No: 2006
Case No: [REDACTED]
Hearing Date: August 14, 2012
Macomb #20 County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon claimant's request for a hearing. After due notice, a hearing was held on August 14, 2012. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly deny Claimant's August 11, 2011 application for Medical Assistance (MA)?

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 August 11, 2011, an application for Medical Assistance (MA) based on disability was submitted by [REDACTED] on behalf of Claimant.
2. The application was marked to show Claimant was unable to work due to medical conditions of [REDACTED] and [REDACTED]. The application was accompanied by a Facility Admission Notice (MSA-2565-C) form which indicated Claimant had been admitted to a [REDACTED] on [REDACTED] and [REDACTED] on [REDACTED]. No Retroactive Medicaid Application (DHS-3243) was submitted.
3. On October 18, 2011, a Verification Checklist (DHS Form 3503) was sent to Claimant. The form stated "Please include a copy of client's [REDACTED] and [REDACTED] for the following: 05/2011-10/2011; in addition to the requested documents by the due date as indicated."

4. On October 31, 2011, a Verification Checklist (DHS Form 3503) was sent to Claimant. The form stated "Please include a copy of client's [REDACTED] and [REDACTED] for the following: 05/2011-10/2011; in addition to the requested documents by the due date as indicated."
5. On November 14, 2011, a Verification Checklist (DHS Form 3503) was sent to Claimant. The form stated "Please include a copy of client's [REDACTED] and [REDACTED] for the following: 05/2011-10/2011; in addition to the requested documents by the due date as indicated."
6. On November 28, 2012, Claimant submitted his [REDACTED] for July, August, September, and October 2011 as well as a statement about his [REDACTED].
7. On December 1, 2011, a Verification Checklist (DHS Form 3503) was sent to Claimant. The form stated "Please include a copy of client's [REDACTED] and [REDACTED] for the following: 05/2011-10/2011; in addition to the requested documents by the due date as indicated. 3rd/Final Extension"
8. On December 16, 2011, the Department had not received bank statements for May or June 2011. Claimant was sent a Notice of Case Action (DHS-1605) which stated his Medical Assistance (MA) application was denied.
9. On May 14, 2012, Claimant submitted a request for hearing.

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) and the Program Reference Manual (PRM).

In this case Claimant does not dispute that his [REDACTED] were not submitted. Claimant testified that he was [REDACTED] in [REDACTED] so he thought he only needed to provide statements from July on. While Claimant's rational is understandable, he was sent four separate Verification Checklists (DHS Form 3503) all of which specifically stated he was to send in [REDACTED] for 05/2011-10/2011. Claimant had full notice of what was required.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly denied Claimant's August 11, 2011 application for Medical Assistance (MA).

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHHELD.

/s/
Gary F. Heisler
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: August 27, 2012

Date Mailed: August 27, 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.

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.

GFH/tb

cc:

