

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201260682
Issue No.: 2006, 3008
Case No: [REDACTED]
Hearing Date: July 26, 2012
Macomb 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 following Claimant's request for a hearing. After due notice, a telephone hearing was held on July 26, 2012. Claimant appeared and testified. At this hearing it was determined that Claimant has no Food Assistance Program (FAP) issues because she began receiving expedited FAP benefits, is still receiving FAP benefits, and had no gap in FAP benefits during the period of time involved in this case.

ISSUE

Did the Department of Human Services properly deny Claimant's May 21, 2012 Medical Assistance (MA) application?

FINDINGS OF FACT

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

1. On May 21, 2012, Claimant applied for Medical Assistance (MA) and Food Assistance Program (FAP) benefits. On the application Claimant did not indicate she was disabled or unable to work. Claimant indicated she was receiving Unemployment Compensation Benefits (UCB) through Florida.
2. On May 24, 2012, Claimant had a telephone interview with the Department case worker. When Claimant was asked about being disabled or able to work, Claimant stated she was not disabled.
3. On June 12, 2012, the Department sent Claimant notice that she was denied Medical Assistance (MA) benefits because she did not non-financial eligibility requirements for any program but Adult Medical Program (AMP) and the Adult Medical Program (AMP) was closed to enrollment.

4. On June 13, 2012, Claimant submitted another application for both Medical Assistance (MA) and Food Assistance Program (FAP) benefits. On this second application Claimant asserts she is disabled.
5. On June 21, 2012, Claimant filed a hearing request.

CONCLUSIONS OF LAW

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

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 (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

A detailed analysis of the evidence presented, applicable Department policies, and reasoning for the decision are contained in the recorded record. During the hearing Claimant was informed of the decision and the reasoning behind the decision.

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 record, finds that the Department of Human Services properly denied Claimant's May 21, 2012 Medical Assistance (MA) application.

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

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

Date Signed: July 31, 2012

Date Mailed: August 1, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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:

