

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

IN THE MATTER OF:



Reg. No. 20126797
Issue No. 2009
Case No. [REDACTED]
Hearing Date: January 5, 2012
Genesee County DHS

ADMINISTRATIVE LAW JUDGE: William A. Sundquist

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the claimant's request for a hearing. After due notice, an in-person hearing was held on January 5, 2012.

ISSUE

Was eligibility for duplicate Medicaid retroactive February 2011 benefits established?

FINDINGS OF FACT

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

1. Claimant did not want a hearing on the Medicaid application dated January 22, 2011, denied on February 15, 2011, and hearing request on September 28, 2011.
2. On February 1, 2011, the department representative learned from the Claimant that she was a Medicaid recipient during February 2011 in Texas.
3. On March 22, 2011, Claimant applied for Medicaid (and February retro), was approved, effective April 1, 2011, and denied for retro February based on Claimant's ongoing February eligibility in Texas.

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 Family Independence Agency (FIA or agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105; MSA 16.490(15). Agency policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Facts above are undisputed.

Concurrent receipt of benefits means assistance received from multiple programs to cover a persons needs for the same time period. BEM 222, page 1.

Assume an MA applicant is not receiving medical benefits from another state unless evidence suggests otherwise. Do not delay the MA determination. Upon approval, notify the other state's agency of the effective date of the Claimant's medical coverage in Michigan. BEM 222, page 2.

In this case, the Claimant informed the agency that she was receiving Medicaid in Texas for February 2011. Therefore, she was ineligible for Medicaid retroactively for February.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides Claimant was ineligible for duplicate Medicaid retro February 2011 benefits.

Accordingly, Medicaid retro February 2011 benefit denial is UPHELD .

/s/
William A. Sundquist
Administrative Law Judge
For Maura D. Corrigan, Director
Department of Human Services

Date Signed: January 23, 2012

Date Mailed: January 24, 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

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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.

WAS/vc

cc:

