

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 20126812
Issue No: 2002
Case No: [REDACTED]
Hearing Date: January 10, 2012
Monroe 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 Tuesday, January 10, 2012. Claimant personally appeared with her authorized representative, [REDACTED] from [REDACTED].

ISSUE

Was four-year old paid medical bill an allowable medical expense on September 2, 2011?

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 September 20, 2011, the Department of Human Services denied the allowance of claimant's paid bills for September 28, 2007 and October 29, 2007 for a total amount [REDACTED] based on overdue bills per BEM 554.
2. Claimant's redetermination period was May 1, 2011 to April 30, 2012.
3. On August 18, 2011, claimant paid the above mentioned bills with her credit card.
4. On September 2, 2011, claimant turned in the above mentioned medical bills to the Department of Human Services.

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 Program Administrative Manual (BAM), the Program Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Facts above are undisputed.

Expenses are used from the same calendar month as the month for which you are determining benefits.

Example: June expenses are used to determine June benefits. BEM 554, Page 2.

Medical bills in pertinent part are **not** overdue if one of the following conditions exists:

- Currently incurred (for example, in the **same month**, ongoing, etc.).
- Currently billed (client is receiving the bill for the first time for a medical expense provided earlier and the bill is not overdue). BEM 554, Page 9.

Based on the undisputed facts and policy above, the four year old medical bills were overdue and not allowable.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the four-year old paid medical bills are not allowable medical expenses on September 2, 2011.

Accordingly, denial of the four-year old paid medical bills are not allowable medical expense on September 2, 2011 is **UPHELD**.

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

Date Signed: February 24, 2012

Date Mailed: February 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 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/tb

cc:

