

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201270056
Issue No: 2026
Case No: [REDACTED]
Hearing Date: September 20, 2012
Washtenaw 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 September 20, 2012. Claimant appeared and testified.

ISSUE

Did the Department of Human Services determine the proper amount of Claimant's Medical Assistance (MA) eligibility on July 24, 2012?

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 was an ongoing recipient of Medical Assistance (MA) benefits.
2. On July 24, 2012, Claimant's Medical Assistance (MA) financial eligibility budget was updated to include an income increase. Claimant was sent a Notice of Case Action (DHS-1605) which stated that her Medical Assistance (MA) coverage would be a \$ [REDACTED] deductible case beginning September 1, 2012.
3. On August 1, 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 the Department had already made a correction to Claimant's income for use in her Medical Assistance (MA) financial eligibility budget but had not certified the new determination. During the hearing Claimant's income was verified and both the old and new Medical Assistance (MA) financial eligibility budgets were reviewed.

Once Claimant's verified income of \$ [REDACTED] was applied to a Medical Assistance (MA) financial eligibility budget it was calculated that Claimant was eligible for a \$ [REDACTED] deductible case.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services DID NOT determine the proper amount of Claimant's Medical Assistance (MA) eligibility on July 24, 2012.

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

It is further ORDERED that the Department recalculate Claimant's Medical Assistance (MA) financial eligibility budget using \$ [REDACTED] for her unearned income and apply that determination to her Medical Assistance (MA) eligibility from September 1, 2012.

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

Date Signed: October 2, 2012

Date Mailed: October 3, 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.

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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:

