

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

IN THE MATTER OF:



Reg. No.: 2012-70865
Issue No.: 2009; 4031
Case No.: [REDACTED]
Hearing Date: November 29, 2012
County: Washtenaw

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

HEARING DECISION

This matter is before the undersigned Administrative Law Judge upon Claimant's request for a hearing made pursuant to Michigan Compiled Laws 400.9 and 400.37, which govern the administrative hearing and appeal process. After due notice, a telephone hearing was commenced on November 29, 2012, from Lansing, Michigan. Claimant personally appeared and testified. Participants on behalf of the Department of Human Services (Department) included Eligibility Specialist [REDACTED] [REDACTED] and Assistant Payment Supervisor [REDACTED] [REDACTED].

ISSUE

Did the department properly determine Claimant's disability status for Medicaid (MA) and State Disability Assistance (SDA) eligibility purposes?

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 a Medical Assistance and State Disability Assistance benefit recipient and his Medical Assistance case was scheduled for review in July, 2012.
2. On May 31, 2012, Claimant filed a Redetermination for Medical Assistance and State Disability Assistance benefits alleging continued disability.
3. On October 1, 2012, the department's State Hearing Review Team (SHRT) issued a prehearing denial of Claimant's application indicating the medical evidence of record indicates Claimant's impairments did not meet a Social Security listing and he retained the capacity to perform a wide range of simple, light, unskilled work.

4. Claimant promptly requested a hearing, at which, the presiding Administrative Law Judge granted Claimant's request for a record extension to submit updated examination and treatment documents.
5. On February 5, 2013, the department submitted additional medical documentation on behalf of Claimant.
6. Claimant's medical file was then submitted to SHRT for a post-hearing review on February 5, 2013.
7. On March 22, 2013, the SHRT reversed its earlier denial of Claimant's disputed MA/SDA application based on impairment listing 12.04.

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 Reference Tables Manual (RFT).

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and Mich Admin Code, Rules 400.3151-400.3180. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

In the present case, SHRT reversed its earlier finding of lack of disability based on additional medical evidence reviewed for the first time after the hearing. This new medical evidence establishes Claimant is currently disabled, and has been disabled at all times relevant to his May 31, 2012 MA/SDA application.

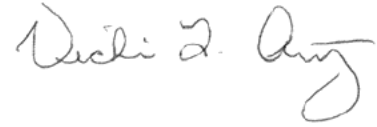
DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department, through SHRT, properly determined Claimant's disability status upon consideration of additional medical evidence reviewed for the first time after the hearing.

Accordingly, SHRT's decision is **AFFIRMED** and Claimant's disputed MA/SDA application shall be processed, as long as Claimant meets all of the other financial and non-financial requirements necessary to receive them. Additionally, the local office shall initiate an MA review by April, 2013, to determine Claimant's eligibility for continued MA and SDA.

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It is SO ORDERED.



Vicki L. Armstrong
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: March 26, 2013

Date Mailed: March 27, 2013

VLA/las

cc:

