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

IN THE MATTER OF:



Reg. No.: 2012-9435

Issue No.: 2009

Case No.:

Hearing Date: April 3, 2012 County: Wayne-35

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claim ant's request for a hearing. After due notice, a telephone hearing was held on April 3, 2012, from Lansing, Michigan. Claima nt personally appeared and testified. Participants on behalf of Department of Human Services (Department) included Ms. Crawford.

<u>ISSUE</u>

Did the Department properly close Claimant's MA-SSI ca se based on Claimant's SSI benefits being terminated?

FINDINGS OF FACT

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

- 1. Claimant was receiving MA-SSI at all times pertinent to this hearing.
- 2. On September 29, 2011, the Department mailed Claim ant a Notice of Cas e Action informing her that her MA pr ogram was clos ing because no one in Claimant's group was under 21, pregnant or disabled.
- 3. On October 10, 2011, Claimant f iled a hearing request contesting the department's closure of her MA benefits.

CONCLUSIONS OF LAW

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

The Medic al Assistance (MA) program is est ablished by the Title XIX of the Socia I Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independenc e Agency) administers the MA program pursuant to MCL 400.10, et seq., and MCL 400.105.

SSI recipients who are Michigan residents receive MA-SSI from the department for the duration of SSI eligibility. Redeterminations are not conductted, however, if SSI stops, the department may determine continued MA eligibility. BEM 150.

When SSI benefits s top, the department eval uates the reason based on the SSA's negative action code, then does one of the following:

• **SSI Closure**. MA-SSI is closed by the department if SSI stopped for a reason that prevents continued MA eligibility (for ex ample, death, moved out of state). The department sends the recipient a DHS-1605. BEM 150.

In this case, SSI was suspended because Claimant's address was unknown. It should be noted that during the hearing, Claimant had to correct her address of record with this agency, and from the SOLQ provided by the department, SSI also has an incorrect address for Claimant. However, because SSI benefits were st opped, the department properly closed Claimant's MA-SSI. Claimant indicated that she was scheduled to have a hearing the following week with SSI, whose outcome may change her SSI benefit and MA-SSI status. Until Claim ant's SSI is reinstated, the department properly closed her MA-SSI benefit case.

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 re cord, finds that the Department did act properly when it closed Claimant's MA-SSI benefits case.

Accordingly, the Department's MA decision is AFFIRMED for the reasons stated on the record.

<u>/S/</u>

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

Date Signed: April 9, 2012

Date Mailed: April 9, 2012

NOTICE: Michigan Administrative Hearing S ystem (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not or der a rehearing or reconsideration on the Department's mo tion where the final decis ion 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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

VLA/ds

