

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

IN THE MATTER OF:



Reg. No.: 201216071
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: April 2, 2012
County: Wayne DHS (41)

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on April 2, 2012, from Detroit, Michigan. Participants on behalf of Claimant included the above named claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED], Manager.

ISSUE

The issue is whether DHS properly processed submitted medical expenses toward a Medicaid deductible for the benefit month of 7/2011.

FINDINGS OF FACT

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

1. Claimant had a \$161/month Medicaid deductible for 7/2011.
2. On an unspecified date, Claimant timely submitted medical expenses to be applied toward Claimant's 7/2011 Medicaid deductible.
3. As of the date of the administrative hearing, DHS has not applied the 7/2011 medical expenses towards Claimant's 7/2011 Medicaid deductible due to a problem with the DHS database (Bridges).
4. On 9/8/11, Claimant filed a request for hearing concerning the Department's lack of processing of the submitted medical expenses.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Relief Manual (ERM). The Medical Assistance (MA) program is established by the 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 (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

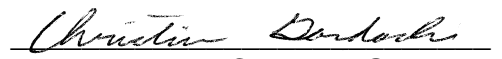
The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). In the present case, Claimant requested a hearing to dispute the Department's failure to process submitted medical expenses toward a Medicaid deductible for 7/2011. Specifically, Claimant alleged that DHS failed to process medical expenses of \$639.73 and \$535 for 7/7/11 and \$95 for 7/14/11. DHS responded that they do not disagree with Claimant, and have attempted to process the submitted medical expenses toward the 7/2011 deductible. DHS stated that the computer database, Bridges, has not allowed the medical expenses to be processed and that a help ticket has been submitted to correct the problem. The testifying DHS representative stated that he is helpless to resolve the computer problem and that he can only await resolution of the help ticket. As there was no dispute of facts or policy, a settlement agreement between Claimant and DHS was reached.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. resolve the submitted help desk ticket concerning the processing of Claimant's Medicaid deductible for 7/2011; and
2. process Claimant's medical expenses totaling \$1269.73 for 7/2011 toward Claimant's 7/2011 Medicaid deductible.


Christian Gardocki
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: April 4, 2012

Date Mailed: April 4, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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. (60 days for FAP cases).

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt 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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail to:

Michigan Administrative hearings
Reconsideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

CG/ hw

cc:

