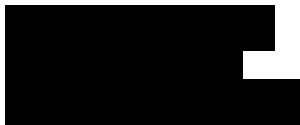


STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

**IN THE MATTER OF:**



Reg. No: 201226394  
Issue No: 2009  
Case No: [REDACTED]  
Hearing Date: March 14, 2012  
Jackson County DHS

**ADMINISTRATIVE LAW JUDGE:** Christopher S. Saunders

**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 telephone hearing was held on March 14, 2012. The claimant personally appeared and provided testimony. The claimant was represented by his authorized representative, [REDACTED], of L&S Associates.

**ISSUE**

Did the Department of Human Services (the department) properly deny claimant's application for Medical Assistance (MA) and retroactive Medical Assistance benefits?

**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 August 15, 2011, claimant applied for MA/retro MA benefits.
2. When the department denied that application claimant requested a hearing by written notice on January 24, 2012.
3. Claimant's in-person hearing was held on March 14, 2012.
4. While his appeal was pending, the Claimant's authorized representative provided proof Claimant was determined disabled by the Social Security Administration (SSA), with disability onset established as of May 1, 2011, by submitting a copy of the Claimant's Social Security Administration Notice of Award.

**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 (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

In Michigan, the SSA's determination of disability onset is binding for MA eligibility purposes. In the present case, evidence of the favorable SSA decision conclusively establishes claimant meets the federal disability standard necessary to qualify for MA/retro MA pursuant to BEM 150, 260 and 261.

The updated evidence submitted while Claimant's MA/retro MA decision was pending shows Claimant was determined disabled as of May 1, 2011, which encompasses all the time relevant to the Claimant's disputed MA/retro MA application. Consequently, the department must reverse its erroneous denial and process Claimant's disputed application in accordance with departmental policy.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department erred in determining claimant is not disabled.

Accordingly, the department's decision is **REVERSED**.

It is HEREBY Ordered that:

1. The department shall approve MA/retro MA benefits for claimant under his August 15, 2011 application as of May 1, 2011 as long as the claimant is otherwise eligible to receive said benefits and meets all other eligibility factors.
2. Departmental review of claimant's medical condition is not necessary as long as his SSA disability status continues.

/s/ \_\_\_\_\_  
Christopher S. Saunders  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: June 22, 2012

Date Mailed: June 22, 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.

CSS/cr

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