

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

IN THE MATTER OF:

[REDACTED]

Reg No. 2012-37843  
Issue No. 2009  
Case No. [REDACTED]  
Hearing Date: May 31, 2012  
Bay County DHS

**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 upon Claimant's request for a hearing. After due notice, an in-person hearing was held on May 31, 2012. Claimant, represented by [REDACTED], personally appeared and testified.

**ISSUE**

Did the department properly deny Claimant's Medicaid (MA) and Retro-MA application based on a finding he lacks a legally disabling condition?

**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 September 30, 2011, Claimant applied for MA and Retro-MA.
2. When the department denied that application Claimant requested a hearing by written notice dated March 7, 2012.
3. Claimant's hearing was held in-person on May 31, 2012.
4. While his appeal was pending, Claimant's representative provided proof Claimant was determined disabled by the Social Security Administration (SSA), with onset established as of May 30, 2011, by submitting a copy of Claimant's Social Security Administration Decision.

**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).

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

The updated evidence submitted while Claimant's MA/Retro-MA hearing was pending shows Claimant was determined disabled as of May 2011, over four months before his disputed MA/Retro-MA application was filed on September 30, 2011. 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, and it is Ordered that:

1. The department shall approve MA/Retro-MA benefits for Claimant as long as he is otherwise eligible to receive them.
2. Departmental review of Claimant's medical condition is not necessary as long as his SSA disability status continues.

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

Date Signed: 6/6/12

Date Mailed: 6/6/12

**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 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.

VLA/ds

■ [REDACTED]