

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201241186
Issue No: 2024
Case No: [REDACTED]
Hearing Date: July 31, 2012
Macomb County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

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 hearing was held on July 31, 2012. Claimant's [REDACTED] and authorized hearing representative, appeared and testified.

ISSUE

Did the Department of Human Services properly deny Claimant's February 17, 2012 application for Medical Assistance (MA)?

FINDINGS OF FACT

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

1. During January 2012, Claimant was a resident of Ohio, was receiving Medical Assistance (MA) through Ohio and was hospitalized. Claimant's [REDACTED] had her moved into a [REDACTED].
2. On February 17, 2012, Claimant's daughter submitted a Medical Assistance (MA) application to the Michigan Department of Human Services.
3. On February 23, 2012, the Michigan DHS case worker contacted [REDACTED] of Ohio's DHS. [REDACTED] reported that Claimant still had Medicaid coverage through Ohio and that Claimant's Ohio case would be closed but not until March 31, 2012. Claimant was sent a Notice of Case Action (DHS-1605) which stated her Michigan Medical Assistance (MA) application was denied because she was still covered through Ohio.
4. On March 16, 2012, Claimant's [REDACTED] submitted a request for hearing.

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 Program Reference Manual (PRM).

None of the above facts are disputed. The main concern of Claimant's [REDACTED] is the cost of the [REDACTED] during February and March. Claimant's daughter testified that she had the impression from [REDACTED] o, that her mother's Medical Assistance (MA) in [REDACTED] would close immediately and so there would not be a problem with applying in Michigan. Review of the Michigan Department of Human Services policy did not reveal any avenues by which this concern could be addressed by Michigan.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly denied Claimant's February 17, 2012 application for Medical Assistance (MA).

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHeld.

/s/ _____
Gary F. Heisler
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: August 9, 2012

Date Mailed: August 10, 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.

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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.

GFH/tb

cc:

