

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-51501
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: September 6, 2012
County: Oakland (03)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

HEARING DECISION

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 conducted from Detroit, Michigan on Thursday, September 6, 2012. The Claimant did not appear; however her spouse, [REDACTED] appeared and testified. The Claimant was represented by [REDACTED] of [REDACTED], [REDACTED] Participating on behalf of the Department of Human Services ("Department") was [REDACTED].

ISSUE

Whether the Department properly processed the Claimant's medical deductible for the months of April and May 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. The Claimant and her spouse are MA recipients under a deductible program.
2. The Claimant/spouse submitted medical bills to meet the deductible for the months of April and May 2011.
3. The bills were not processed within a year.
4. The Department sent a Request for Exception to the 12-Month Billing Limitation for Medical Services. (Exhibit 1)

5. The MA case was not opened for the months of April and May 2011.
6. On April 26, 2012, the Department received the Claimant's written request for hearing.

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 Bridges Reference Manuals ("RFT").

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. 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, the Department acknowledged its error in failing to process the medical bills submitted to meet the MA deductible for the months of April and May 2011. In response, the Department submitted a billing exception; however, as of the date of hearing, the exception was not processed. During the hearing, the Department agreed to submit a helpdesk ticket for the processing of the exception which it would "cc" to the AHR. All parties were amenable to this resolution.

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

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. Initiate processing of the Request for Exception to the 12-Month Billing Limitation for Medical Services to include filing a helpdesk ticket for the months of April and May 2011.
2. The Department shall notify the Claimant and her Authorized Hearing Representative of the determination in accordance with Department policy.

3. The Department shall supplement for lost benefits (if any) that the Claimant was entitled to receive, if otherwise eligible and qualified, in accordance with Department policy.

Colleen M. Mamelka

Colleen M. Mamelka
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: September 25, 2012

Date Mailed: September 25, 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.

CMM/cl

cc:

[REDACTED]
Oakland County DHS (03)/DHS-1843

C. [REDACTED]
Mamelka