

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

**IN THE MATTER OF:**



Reg No. 20125716  
Issue No. 2009, 4031  
Case No. [REDACTED]  
Hearing Date: January 10, 2012  
Isabella 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 January 10, 2012. Claimant personally appeared and provided testimony.

**ISSUE**

Did the department properly determine Claimant's disability status for Medicaid (MA)/retro-MA and State Disability Assistance (SDA) eligibility purposes?

**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 June 20, 2011, Claimant applied for MA/retro-MA and SDA.
2. On December 10, 2011, the department's State Hearing Review Team (SHRT) issued a prehearing denial of claimant's application stating that the claimant's impairments do not meet the twelve month durational requirement.
3. Claimant promptly requested a hearing, at which, the presiding Administrative Law Judge granted Claimant's request for a record extension to submit updated medical documentation.
4. Those documents were submitted to SHRT for a post-hearing review.

5. On March 12, 2012, SHRT reversed its earlier denial of Claimant's disputed MA/retro-MA/SDA application stating that the claimant is not capable of sustaining even unskilled work, with coverage retroactively determined, starting March 1, 2011.

### **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).

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and Mich Admin Code, Rules 400.3151-400.3180. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

In the present case, SHRT reversed its earlier finding of lack of disability based on additional medical evidence reviewed for the first time after the hearing. This new medical evidence establishes claimant is currently disabled, and has been disabled at all times relevant to her June 20, 2011 MA/retro-MA application.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department, through SHRT, properly determined Claimant's disability status upon consideration of her vocational profile.

Accordingly, SHRT's decision is **AFFIRMED** and Claimant's disputed MA/retro-MA/SDA application shall be processed with benefits awarded retroactive to March 1, 2011, as long as Claimant meets all of the other financial and non-financial requirements necessary to receive them.

It is SO ORDERED.



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

Date Signed: \_\_\_\_\_  
Date Mailed: \_\_\_\_\_

**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.

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