

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-57535
Issue No.: 2001
Case No.: [REDACTED]
Hearing Date: August 8, 2012
County: Wayne (82-18)

ADMINISTRATIVE LAW JUDGE: Kathleen H. Svoboda

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 held on August 8, 2012, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED]

ISSUE

Due to a failure to comply with the verification requirements, did the Department properly close Claimant's case for Adult Medical Program (AMP) benefits?

FINDINGS OF FACT

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

1. Claimant was receiving AMP benefits ongoing.
2. Claimant was sent a redetermination form on January 17, 2012, with a due date of February 2, 2012, which Claimant returned on January 31, 2012, without providing requested employment/income information.
3. A duplicate redetermination form was sent on February 7, 2012, which Claimant returned on February 13, 2012, without providing the requested employment/income information.

4. On February 14, 2012, Department Eligibility Specialist telephone Claimant and spoke with Claimant advising of the need for employment/income information.
5. Claimant denied being employed.
6. On February 14, 2012, a verification checklist was sent to Claimant with a due date of February 24, 2012, and which included a specific notation about the need for employment/income verification.
7. On February 27, 2012, a Notice of Case Action was sent advising Claimant of the termination of her AMP benefits for failure to provide employment/income information.
8. On June 6, 2012, Claimant filed a Request for Hearing.

CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by 42 USC 1315, and is administered by the Department pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

Verification is usually required at application/redetermination **and** for a reported change affecting eligibility or benefit level. BEM 130.

In this case, the Department requested verification associated with a redetermination for Claimant's AMP benefits. There is no issue with the timeliness in which Claimant provided the verification. The Eligibility Specialist who testified is the assigned specialist for Claimant's case. He testified that when the redetermination form was first received, it lack any information regarding employment. Information about Claimant's employment was obtained through Wage Match, per BAM 802, evidencing Claimant's employment.

Upon receiving the Wage Match information, a duplicate redetermination form was sent to Claimant which she returned without providing the employment or income information. The Eligibility Specialist testified that he telephoned Claimant and spoke with her about the employment information. During the telephone conversation, Claimant denied that she was working. Claimant did not refute this testimony. A verification checklist was sent to Claimant on February 14, 2012, seeking employment and income verification from Claimant. As this information was not provided by Claimant, her case was closed.

Bridges policy manual provides:

MA and AMP

Allow the client 10 calendar days (or other time limit specified in policy) to provide the verification you request. Refer to policy in this item for citizenship verifications. If the client cannot provide the verification despite a reasonable effort, extend the time limit up to three times.

Send a case action notice when:

The client indicates refusal to provide a verification.... BAM
130, Page 6.

Claimant testified that she was aware of the Department's request for employment verification. When asked to present her case, Claimant testified that she had nothing to say. When questioned about her employment, Claimant admitted to recognizing the name of the company identified through Wage Match and admitted being employed by that company beginning November and continuing through April or May. Claimant offered no testimony to refute the Department's testimony or to challenge the dates at issue. Further, Claimant testified it was reasonable to conclude that she was employed by this company during the time the redetermination process was ongoing.

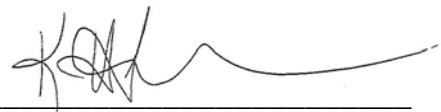
Based upon the foregoing, it is determined that Claimant refused to provide verification as requested by the Department per policy.

Based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department properly closed Claimant's case.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department did act properly.

Accordingly, the Department's decision is **AFFIRMED** for the reasons stated on the record.



Kathleen H. Svoboda
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: August 14, 2012

Date Mailed: August 14, 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.

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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at
Michigan Administrative Hearings
Reconsideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

KHS/pf

cc:

