

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2012-64471
Issue No: 2001

[REDACTED]

ADMINISTRATIVE LAW JUDGE: Suzanne L. Morris

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 [REDACTED]. The claimant appeared and provided testimony, along with a friend, [REDACTED].

ISSUE

Did the department properly close the claimant's Adult Medical Program (AMP) case for failure to provide the required verifications?

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 was a recipient of AMP benefits.
2. On [REDACTED], the claimant was mailed a Verification Checklist (DHS-3503), requiring her to submit a current checking account statement by [REDACTED].
3. On [REDACTED], the claimant was mailed a second Verification Checklist requiring her to submit a current checking account statement and proof of residential address by [REDACTED].
4. The claimant did provide a copy of her checking account by the due date. However, the printout listed her account number and not her name, so the case worker determined it was not acceptable.
5. The claimant was mailed a Notice of Case Action (DHS-1605) on [REDACTED] that stated her AMP case was being closed for failure to verify.

6. The claimant submitted a hearing request on [REDACTED].

CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (DHS or 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 Bridges Reference Manual (RFT).

MCL 24.278(2) provides a disposition may be made of a contested case by stipulation or agreed settlement. In this case, the department agreed that the claimant did provide the bank account statement within the time period required. While the statement did not have the claimant's name on it, it came with other material from the claimant, in an envelope from the claimant. The case worker had no problem identifying that the account statement was the claimant's. Therefore, there was no dispute that the claimant did satisfy the Verification Checklist requirement. If the department had needed further verification, it could have been requested. The department agreed that the claimant did provide the information necessary for them to determine her eligibility and agreed to reinstate the claimant's AMP case.

The claimant and department agreed that this resolved the issue.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department did not properly close the claimant's AMP case.

Accordingly, the department's actions are **REVERSED**. The department shall reinstate the claimant's AMP case as of the date of closure. It is SO ORDERED.

/s/ _____
Suzanne L. Morris
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: [REDACTED]

Date Mailed: [REDACTED]

2012-64471/SLM

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 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.

SLM/jk

cc:



MAHS