

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201269825
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: September 20, 2012
County: Wayne DHS (55)

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

SETTLEMENT ORDER

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, an in-person hearing was held on September 20, 2012 from Hamtramck, Michigan. [REDACTED] testified and appeared as Claimant's authorized hearing representative. Participants on behalf of the Department of Human Services (Department) included [REDACTED], Manager.

ISSUE

The issue is whether DHS properly failed to register and process Claimant's application for Medical Assistance (MA) benefits dated

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 7/28/11, a request for MA benefits was submitted to DHS.
2. As of the date of the administrative hearing, DHS has yet to register and process Claimant's request for MA benefits.
3. On 8/6/12, Claimant's AHR requested a hearing to dispute the failure by DHS to register and process Claimant's MA benefit request.

CONCLUSIONS OF LAW

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 (CFR). 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. Department policies are found in the Bridges Administrative Manual (BAM) and the Bridges Eligibility Manual (BEM),

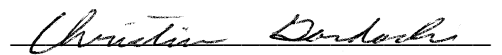
The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). In the present case, Claimant's AHR requested a hearing to dispute a failure by DHS to recognize a request for MA benefits made on 7/28/11. DHS conceded that Claimant's MA benefit request was received by DHS and that DHS erred by failing to register and process the application. DHS gave testimony that the error is being corrected pending the resolution of a help desk ticket. DHS proposed that Claimant's MA request be registered using the submission date of 7/28/11. Claimant's AHR agreed to the DHS proposal. As the agreement appears to comply with DHS regulations, the settlement among the parties shall be accepted.

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. register Claimant's request for MA benefits dated 7/28/11; and
2. process Claimant's request in accordance with DHS regulations.


Christian Gardocki
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.

CG / hw

cc:

