

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-73965
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: January 9, 2013
County: Oakland (04)

ADMINISTRATIVE LAW JUDGE:

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, a telephone hearing was conducted from Detroit, Michigan on Wednesday, January 9, 2013. The Claimant did not appear; however, attorney [REDACTED], appeared and testified. Participating on behalf of the Department of Human Services ("Department") was [REDACTED] and [REDACTED].

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 found the Claimant ineligible for Medical Assistance ("MA") benefits for the period from December 2011 through February 2012 due to excess assets. There was no dispute that based on the submitted records the Claimant was over the applicable \$2,000.00 asset limit. The Bridges Eligibility Manual ("BEM") 100 provides procedures for seeking an exception to official policy when, for example, a unique and rare circumstance exists in a specific case that results in extreme and unusual hardship for a client. BEM 100 (December 2011), p. 8. In processing a MA exception request, BEM 100 provides that the request be mailed, via ID mail, to the Department of Community Health ("DCH"). BEM 100, p. 9. During the hearing, the Department agreed to forward the policy exception request from the Claimant/Representative to DCH. All parties were in agreement with this resolution. As a result of this accord, there is no further issue that needs to be adjudicated.

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. As agreed, forward the Claimant/Representative's policy exception request via ID mail to the Department of Community Health pursuant to BEM 100.
2. The Department shall notify the Claimant/Representative of the determination in accordance with department policy.

Colleen M. Mamelka

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

Date Signed: January 10, 2013

Date Mailed: January 10, 2013

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/tm

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