

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2012-276592
Issue No: 2009;2014;4031
Case No: [REDACTED]
Hearing Date: April 23, 2013
Macomb-12 County DHS

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

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 to protest the denial of claimant's application for MA. After due notice, a telephone hearing was held on April 3, 2013. Claimant personally appeared and testified. The department was represented at hearing by Eligibility Specialist, [REDACTED]

ISSUE

Whether the claimant meets the disability criteria for Medical Assistance (MA-P) and State Disability Assistance (SDA)?

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 6, 2012, claimant filed an application for Medical Assistance and State Disability Assistance benefits alleging disability.
2. On August 22, 2012, the Medical Review Team denied claimant's application stating that claimant's impairments lacked duration.
3. On August 29, 2012, the department caseworker sent claimant notice that his application was denied.
4. On September 11, 2012, claimant filed a request for a hearing to contest the department's negative action.
5. On October 23, 2012, the State Hearing Review Team approved claimant's application stating in its analysis and recommendation: adopting the

SSA/DDS Title II determination. The onset of disability is to the onset of the claimant's severe condition, prior to the date of onset, the evidence does not support the presence of a severe impairment. The claimant was approved for Social Security Disability benefits on September 21, 2012 and is currently in payment status. Therefore, MA-P and retroactive MA-P are approved effective May 8, 2012. SD A is approved per BEM 261. No medical review is necessary due to the SSA allowance.

6. An SOLQ from the Social Security Administration indicates that claimant does have RSDI with a disability onset date of May 8, 2012.

CONCLUSIONS OF LAW

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 MAC R 400.3151-400.3180. Department policies are found in the Program Administrative Manual (BAM), the Program Eligibility Manual (BEM) and the Program Reference Manual (PRM).

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 Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Because of the SHRT determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability, per BAM, Item 600.

Because of the Social Security Administration determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability. PEM, Item 260.

A person eligible for retirement, survivors and disability insurance (RSDI) benefits based on his disability or blindness meets the disability or blindness criteria. Disability or blindness starts from the RSDI disability onset date established by the Social Security Administration (SSA). This includes a person whose entire RSDI benefit is being withheld for recruitment. No other evidence is required. BEM, Item 260, Page 1.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the claimant meets the definition of medically disabled under the Medical Assistance Program as of the Social Security Administration determination of

- 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

LYL/las

cc:

