

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

IN THE MATTER OF:



Reg. No.: 2012-9435
Issue No.: 2009
Case No.: [REDACTED]
Hearing Date: April 3, 2012
County: Wayne-35

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

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 April 3, 2012, from Lansing, Michigan. Claimant personally appeared and testified. Participants on behalf of Department of Human Services (Department) included Ms. Crawford.

ISSUE

Did the Department properly close Claimant's MA-SSI case based on Claimant's SSI benefits being terminated?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Claimant was receiving MA-SSI at all times pertinent to this hearing.
2. On September 29, 2011, the Department mailed Claimant a Notice of Case Action informing her that her MA program was closing because no one in Claimant's group was under 21, pregnant or disabled.
3. On October 10, 2011, Claimant filed a hearing request contesting the department's closure of her MA benefits.

CONCLUSIONS OF LAW

Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).

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.

SSI recipients who are Michigan residents receive MA-SSI from the department for the duration of SSI eligibility. Redeterminations are not conducted, however, if SSI stops, the department may determine continued MA eligibility. BEM 150.

When SSI benefits stop, the department evaluates the reason based on the SSA's negative action code, then does one of the following:

- **SSI Closure.** MA-SSI is closed by the department if SSI stopped for a reason that prevents continued MA eligibility (for example, death, moved out of state). The department sends the recipient a DHS-1605. BEM 150.

In this case, SSI was suspended because Claimant's address was unknown. It should be noted that during the hearing, Claimant had to correct her address of record with this agency, and from the SOLQ provided by the department, SSI also has an incorrect address for Claimant. However, because SSI benefits were stopped, the department properly closed Claimant's MA-SSI. Claimant indicated that she was scheduled to have a hearing the following week with SSI, whose outcome may change her SSI benefit and MA-SSI status. Until Claimant's SSI is reinstated, the department properly closed her MA-SSI benefit 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 when it closed Claimant's MA-SSI benefits case.

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

/s/
Vicki L. Armstrong
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: April 9, 2012

Date Mailed: April 9, 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 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.

VLA/ds

cc:

