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

IN THE MATTER OF:



Reg. No.:	2013-10070
Issue No.:	2000
Case No.:	
Hearing Date:	April 22, 2013
County:	Wayne (19)

ADMINISTRATIVE LAW JUDGE: Zainab Baydoun

SETTLEMENT ORDER

This matter is before the undersigned Admini strative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claim ant's request for a hearing. After due notice, a telephone hearing was held on April 22, 2013, from Detroit, Michigan. Claimant and his Authorized Hearing Representative, Associates, Inc., appeared and testified. Part icipants on behalf of the Department of Hum an Servic es (Department) included Assi stance Payment Supervisor, and t, Eligibility Specialist.

ISSUE

Whether the Department properly:

☐ denied Claimant's application for benefits
☐ closed Claimant's case for benefits

reduced Claimant's benefits

for:

Family	Inde	pendence	Program	(FIP)?

Food Assistance Program (FAP)?

X Medical Assistance (MA)?

Adult Medical Assistance (AMP)?

State Disability Assistance (SDA)?
Child Development and Care (CDC)?
State Emergency Services (SER)?

FINDINGS OF FACT

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

2013-10070/ZB

1. On February 1, 2012, the Department

denied Claimant's application for benefits
 closed Claimant's case for benefits
 reduced Claimant's benefits

under the following program(s):

FIP	FAP	🖂 MA	🗌 AMP	🗌 SDA		SER
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2. On July 30, 2012, the Department sent notice to Claim ant (or Claim ant's Authorized Hearing Representative) of the

\boxtimes	denial
	closure
	reduction.

3. On October 23, 2012, Claimant fil ed a request for hearing c oncerning the Department's action.

CONCLUSIONS OF LAW

Department polic ies are foun d in the Department of Human Servic es Bridges Administrative Manual (BAM), Bridges Eligibil ity Manual (BEM), Reference Tables Manual (RFT), and State Emergency Relief Manual (ERM).

The Medical Ass istance (MA) program is es tablished by the Title XIX of the Soc ial 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 Independ ence Agency) administers the MA program pursuant to MCL 400.10, *et seq*., and MC L 400.105.

The law pr ovides that disposition may be made of a contest ed case by s tipulation or agreed settlement. MCL 24.278(2).

In the present case, on March 15, 2012, CI aimant applied for MA coverage f or himself and his wife retroactive to February 2012. The Department denied Claimant's application for MA and sent Claimant a Notice of Case Action informing him of the denial due to excess assets. (Exhibit 3). Soon after commencement of the hearing, the parties testified that they had reached a se ttlement concerning the disputed action. Consequently, the Depar tment agreed to do the following: (i) reregister the March 15, 2012 MA application for MA coverage retr oactive to Febr uary 2012; (ii) begin reprocessing the applic ation for Marc h 15, 2012 ongoing in accor dance with Department policy; (iii) begin issuing supplements to Claimant for any MA coverage that he was entitled to receive but did not from February 2012 ongoing in accordance with Department policy; and (iv) notif y Claimant of its decision in writing in accordance wit h Department policy.

As a result of this settlement, Claimant no longer wish es to proceed with the hearing. As such, it is unnec essary for this Admi nistrative Law Judge to render a decis ion regarding the facts and issues in this case.

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. Reregister the March 15, 2012 MA applic ation for MA coverag e retroactive to February 2012;
- 2. Begin reprocessing t he application for March 15, 2012, ongoing in accordance with Department policy;
- 3. Begin issuing supplements to Claimant for any MA coverage that he was entitled to receive but did not from Febr uary 2012 o ngoing in accordance wit h Department policy; and
- 4. Notify Claimant of its decision in writing in accordance with Department policy.

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Żainab Baydoun Administrative Law Judge for Maura Corrigan, Director Department of Human Services

Date Signed: May 8, 2013

Date Mailed: May 8, 2013

NOTICE: Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order . MAHS will not order a rehearing or reconsideration on the Department's mo tion where the final decis ion cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

ZB/cl

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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

cc: