

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-200400
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: May 8, 2013
County: Wayne (35)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

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 held on Thursday, May 2, 2013, from Detroit, Michigan. Claimant did not appear, however; her Authorized Hearing Representative ("AHR"), [REDACTED], Inc., appeared and testified. Participating on [REDACTED].

ISSUE

Whether the Department properly processed Claimant's application for retroactive Medical Assistance ("MA") benefits for the months of May and June 2011?

FINDINGS OF FACT

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

1. Claimant/AHR submitted an application for MA benefits, retroactive to May 2011, on August 25, 2011.
2. The Department approved the MA application but did not determine eligibility for the requested retroactive months.
3. On December 7, 2012, the Department received Claimant/AHR's written request for hearing protesting the failure to determine MA eligibility for the months of May and June 2011.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual (“BAM”), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (“RFT”), and the State Emergency Relief Manual (“ERM”).

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.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

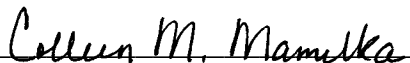
In the present case, Department agreed Claimant was eligible for benefits for the months of May and June 2011. As such, the Department agreed to process MA eligibility for those months. Claimant/AHR was agreeable to the resolution leaving no other issue to address.

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. Initiate determination of Claimant’s MA eligibility, as agreed, for the period from May and June 2011, in accordance with Department policy.
2. The Department shall notify Claimant/AHR in writing of the determination in accordance with Department policy.
3. The Department shall supplement for lost benefits (if any) that Claimant was entitled to receive if otherwise eligible and qualified and in accordance with Department policy.



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

Date Signed: May 14, 2013

2013-20040/CMM

Date Mailed: May 14, 2013

NOTICE: 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

cc:

