

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201324131
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: May 16, 2013
County: Wayne (35)

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

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 May 16, 2013, from Detroit, Michigan. Participants on behalf of Claimant included [REDACTED], hearing representative for [REDACTED], Claimant's authorized hearing representative (AHR). Participants on behalf of the Department of Human Services (Department) included [REDACTED], Family Independence Specialist.

ISSUE

Whether the Department properly processed Claimant's December 28, 2011, application for Medical Assistance (MA) with retroactive coverage to September 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. On December 18, 2011, Claimant's AHR filed an MA application for Claimant, with a request for retroactive coverage to September 2011.
2. On December 26, 2012, Claimant's AHR filed a request for hearing alleging that the Department had failed to process coverage for September 2011.

CONCLUSIONS OF LAW

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), Reference Tables Manual (RFT), and 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, Claimant requested a hearing to dispute the Department's action in failing to activate MA coverage for Claimant for September 2011. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: (1) begin activating Claimant's MA coverage for September 2011, if the SOLQ (Single Online Query) report for Claimant provides for automatic eligibility for September 2011; (2) if the SOLQ does not address September 2011 eligibility, begin processing Claimant's December 28, 2011 MA application in accordance with Department policy for assessment by the Medical Review Team of Claimant's MA eligibility for September 2011; (3) fax a copy of the SOLQ to Claimant's AHR; (4) provide Claimant with MA coverage he is eligible to receive for September 2011; and (5) notify Claimant and his AHR of its decision in writing in accordance with Department policy.

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision 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. Begin activating Claimant's MA coverage for September 2011, if the SOLQ (Single Online Query) report for Claimant provides for automatic eligibility for September 2011;
2. If the SOLQ does not address September 2011 eligibility, begin processing Claimant's December 28, 2011 MA application in accordance with Department policy

for assessment by the Medical Review Team of Claimant's MA eligibility for September 2011;

3. Fax a copy of the SOLQ to Claimant's AHR;
4. Provide Claimant with MA coverage he is eligible to receive for September 2011; and
5. Notify Claimant and his AHR of its decision in writing in accordance with Department policy.



Alice C. Elkin
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 5/28/2013

Date Mailed: 5/28/2013

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.

ACE/hw

cc:

