

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 201327799  
Issue No.: 2000  
Case No.: [REDACTED]  
Hearing Date: May 23, 2013  
County: Wayne (18)

**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 23, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED], Assistance Payment Supervisor, and [REDACTED], Eligibility Specialist.

**ISSUE**

Whether the Department properly reinstated Claimant's Medicare Saving Program (MSP) case.

**FINDINGS OF FACT**

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

1. The Department sent Claimant a redetermination concerning her ongoing eligibility for MSP and Medical Assistance (MA) that was due on January 2, 2013.
2. On January 19, 2013, the Department sent Claimant a Notice of Case Action notifying her that her MA and MSP cases would close effective February 1, 2013, because she had failed to submit a completed redetermination.
3. On January 31, 2013, Claimant submitted the completed redetermination and filed a request for hearing concerning her MA and MSP cases.

**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.

In this case, the Department testified that, when it received Claimant's redetermination on January 31, 2013 (the last day of the MA and MSP benefit period), it processed the redetermination and approved her for ongoing benefits as of February 1, 2013. The Department testified that, based on this approval, Claimant was eligible for uninterrupted MA and MSP benefits. However, Claimant testified that, although she had MA coverage from February 1, 2013, ongoing, and had received MSP benefits for February 2013, she had not received her full Social Security Administration (SSA) benefits since then. She wished to have the issue of her MSP benefits addressed at the hearing.

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

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) continue processing issuance of Claimant's MSP benefits from March 1, 2013, ongoing, in accordance with Department policy; and (2) begin issuing reimbursement to Claimant for any MSP benefits she was eligible to receive but were withheld by SSA from March 1, 2013, ongoing.

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.

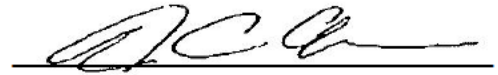
**DECISION AND ORDER**

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. Continue processing issuance of Claimant's MSP benefits from March 1, 2013, ongoing, in accordance with Department policy; and

2. Begin issuing reimbursement to Claimant for any MSP benefits she was eligible to receive, but were withheld by SSA from March 1, 2013, ongoing.



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

Date Signed: 6/12/2013

Date Mailed: 6/12/2013

**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:

