

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 2013-29844  
Issue No.: 2018  
Case No.: [REDACTED]  
Hearing Date: June 6, 2013  
County: Wayne (82-15)

**ADMINISTRATIVE LAW JUDGE:** Alice C. Elkin

**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 June 6, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED].

**ISSUE**

Did the Department properly reinstate Claimant's Medical Assistance (MA) case?

**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 an ongoing recipient of MA benefits.
2. On February 1, 2013, the Department sent Claimant a Notice of Case Action notifying him that, effective March 1, 2013, he was no longer eligible for MA coverage because he was not under 21 or over 65, pregnant, the caretaker of a minor child, blind or disabled.
3. On February 11, 2013, Claimant filed a request for hearing disputing the Department's actions concerning his MA coverage and his daughter's MA coverage.

### **CONCLUSIONS OF LAW**

Department policies are contained in the Department of Human Services Bridges Administrative Manual (BAM), Department of Human Services Bridges Eligibility Manual (BEM), and Department of Human Services 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.

At the hearing, Claimant testified that his daughter's MA issue had been resolved and he wished to proceed with the hearing only with respect to his MA coverage.

The Department acknowledged at the hearing that the February 1, 2013, Notice of Case Action improperly denied Claimant's ongoing MA coverage. The Department testified that it completed processing Claimant's MA redetermination and reinstated his MA coverage effective February 1, 2013. The Department produced an eligibility summary showing that Claimant had ongoing, uninterrupted MA coverage, with a deductible, since February 1, 2013. Thus, the Department established that it had resolved its error in closing Claimant's case.

Claimant contended that he had requested a hearing concerning the Department's closure of his full-coverage MA case and application of a monthly deductible to his MA coverage. However, Claimant's request for hearing is tied to the February 1, 2013, Notice of Case Action that improperly closed his case, and his request for hearing references that he believes he is eligible for MA because he is disabled and the parent of minor children.

Claimant was advised he could request a hearing to address the deductible and the Department's failure to pay several medical bills, another concern he raised at the hearing.

### **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 acted in accordance with Department policy when it reinstated Claimant's MA case as of February 1, 2013.

Accordingly, the Department's decision is AFFIRMED.



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

Date Signed: June 12, 2013

Date Mailed: June 13, 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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
  - misapplication of manual policy or law in the hearing decision,
  - typographical errors, mathematical error, or other obvious errors in the hearing decision that affect the substantial rights of the claimant,
  - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at  
Michigan Administrative Hearings  
Reconsideration/Rehearing Request  
P. O. Box 30639  
Lansing, Michigan 48909-07322

ACE/pf

cc:

