

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-33388
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: June 12, 2013
County: Wayne (82-19)

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 June 12, 2013, from Detroit, Michigan. Participants on behalf of Claimant included [REDACTED]. Participants on behalf of the Department of Human Services (Department) included [REDACTED].

ISSUE

Whether the Department properly processed Claimant's August 2, 2012, Medical Assistance (MA) application, with retroactive coverage to June 2012.

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 August 2, 2012, Claimant applied for MA, with retroactive coverage to June 2012.
2. On September 14, 2012, the Department sent Claimant a Notice of Case Action approving his MA application for August 1, 2012, ongoing.
3. On February 27, 2013, Claimant's AHR requested a hearing, requesting that the Department process the application for MA and retroactive MA.

CONCLUSIONS OF LAW

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Department of Human Services Bridges Eligibility Manual (BEM), Department of Human Services Reference Tables Manual (RFT), and Department of Human Services 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 the present case, Claimant's AHR requested a hearing to dispute the Department's action concerning the processing of Claimant's August 2, 2012, MA application, with a retroactive MA application to June 2012. The evidence at the hearing established that the Department approved Claimant for MA coverage for August 1, 2012, ongoing. The AHR requested that coverage be applied from June 1, 2012, ongoing.

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: (i) continue to process Claimant's MA August 2, 2012, with retroactive MA application for coverage to June 2012, in accordance with Department policy, after the AHR provides a copy of the retroactive MA application if requested by the Department; (ii) activate MA coverage Claimant is eligible to receive from June 1, 2012, ongoing; and (iii) notify Claimant and the AHR of its decision in writing in accordance with Department policy.

As a result of this settlement, Claimant's AHR 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's AHR have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Continue to process Claimant's MA August 2, 2012, with retroactive MA application for coverage to June 2012, in accordance with Department policy, after the AHR provides a copy of the retroactive MA application if requested by the Department;

2. Activate MA coverage Claimant is eligible to receive from June 1, 2012, ongoing; and
3. Notify Claimant and the 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: June 17, 2013

Date Mailed: June 18, 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/pf

cc:

