

**STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES**

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: [REDACTED]  
Issue No.: 2001  
Case No.: [REDACTED]  
Hearing Date: February 14, 2013  
County: Macomb #38

**ADMINISTRATIVE LAW JUDGE:** Gary F. Heisler

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon claimant's request for a hearing. After due notice, a hearing was held on February 14, 2013. Claimant appeared and testified.

**ISSUE**

Did the Department of Human Services properly close Claimant's Adult Medical Program (AMP) on October 1, 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) Claimant was an ongoing recipient of Adult Medical Program (AMP) benefits. Claimant's eligibility was due for re-determination by October 1, 2012.
- (2) On August 14, 2012 Claimant was sent a Redetermination Form (DHS-1010). The form and any verification were due on September 4, 2012.
- (3) On September 17, 2012, the Department had not received Claimant's Redetermination Form (DHS-1010). Claimant was sent a Notice of Case Action (DHS-1605) which stated her Adult Medical Program (AMP) would close on October 1, 2012.
- (4) On October 15, 2012, Claimant submitted a request for hearing.

## CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

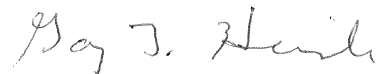
At this hearing Claimant testified that she went into [REDACTED] on August 10 or 11, 2012 and did not get out until October 31, 2012. Claimant testified that she did not notify the Department about being in [REDACTED] and the address the Department has for her is a family friend. When ask how she got the September 17, 2012 Notice of Case Action (DHS-1605) in order to request a hearing on October 15, 2012, Claimant testified that the paperwork was brought to her by the family friend.

Because Claimant did not report a change of address to the Department, the Department is not responsible for what happens to correspondence once it is mailed to the address of record provided by Claimant. The fact that Claimant's family friend did not bring the Redetermination Form (DHS-1010) and Notice of Case Action (DHS-1605) to her in time to prevent closure of her Adult Medical Program (AMP), is not a failure of adequate notice by the Department nor the responsibility of the Department. No evidence has been presented that shows the Department's actions were incorrect.

## DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly closed Claimant's Adult Medical Program (AMP) on October 1, 2012.

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHeld.



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Gary F. Heisler  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: February 22, 2013

Date Mailed: February 22, 2013

**NOTICE:** Administrative Hearings 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. Administrative Hearings 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.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing 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 effect 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

GFH/tb

cc:

