

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

IN THE MATTER OF:

Reg. No: 201313590
Issue No: 2000

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, an in-person hearing was held on [REDACTED]. The Claimant appeared and testified. Claimant's Authorized Hearings Representative, [REDACTED], also appeared for the Claimant. The Department was represented by [REDACTED].

ISSUE

Was the Department correct in determining Claimant's Medicaid Assistance program (MA-P) benefits?

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 approved for Medicaid and the Department attempted to process the coverage.
2. The Department was unable to process benefits for the month of [REDACTED] due to problems with their computer system. A help desk ticket was requested.
3. Claimant filed a request for hearing on [REDACTED].
4. A hearing was held on [REDACTED].
5. At hearing the Department agreed again on the record that Claimant was eligible for MA-P in [REDACTED] and agreed that coverage should be activated for that month and benefits should be processed.

CONCLUSIONS OF LAW

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code, MAC R 400.901-400.951. An opportunity for a hearing shall be granted to an applicant who requests a hearing because his or her claim for assistance has been denied. MAC R 400.903(1). Clients have the right to contest a department decision affecting eligibility or benefit levels whenever it is believed that the decision is incorrect. The department will provide an administrative hearing to review the decision and determine the appropriateness of that decision. BAM 600.

The Medical Assistance (MA-P) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department administers the MA-P program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).


Under Bridges Administrative Manual Item 600, clients have the right to contest any agency decision affecting eligibility or benefit levels whenever they believe the decision is illegal. The agency provides an Administrative Hearing to review the decision and determine if it is appropriate. Agency policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when the agency receives a hearing request and continues through the day of the hearing.

In the present case, the parties reached an agreement whereby the Department agreed to activate Claimant's MA benefits for the month of [REDACTED]. Since the Claimant and the Department have come to an agreement it is unnecessary for this Administrative Law Judge to make a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Department and Claimant have come to a settlement regarding Claimant's request for a hearing. Therefore it is **ORDERED** that the Department activate Claimant's MA benefits for [REDACTED] in accordance with this settlement agreement.

Aaron
Administrative
for
Department


McClintic
Law Judge
Maura Corrigan, Director
of Human Services

Date Signed: 04/22/2013

Date Mailed: 04/22/2013

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 60 days of the filing of the original request.

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.

AM/kl

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