

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

**IN THE MATTER OF:**



Reg. No.: 20136546  
Issue No.: 2026  
Case No.: [REDACTED]  
Hearing Date: March 20, 2013  
County: Eaton

**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 March 20, 2013. Claimant appeared and testified.

**ISSUE**

Did the Department of Human Services determine the proper Medical Assistance (MA) eligibility for Claimant's MA benefit group?

**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 and her benefit group were ongoing recipients of Medical Assistance (MA). The MA benefit group consists of Claimant: Claimant's husband Robert who receives Retirement, Survivors, Disability Insurance (RSDI); and Claimant's daughter [REDACTED] who receives RSDI.
- (2) On October 1, 2012, the Department ran Medical Assistance (MA) financial eligibility budgets for the members of the benefit group. Claimant was sent a Notice of Case Action (DHS-1605).
- (3) On October 11, 2012, Claimant submitted a request for hearing.

**CONCLUSIONS OF LAW**

The Medical Assistance (MA) 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 of Human Services (DHS or department) administers the MA 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).

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During this hearing the age and status of all household members was verified. Income of all benefit group members was also verified. The Medical Assistance (MA) financial eligibility budgets were checked by hand following the hearing. Claimant, [REDACTED] and [REDACTED] deductibles were properly calculated in accordance with Department of Human Services Bridges Eligibility Manual (BEM) 536 Determining Budgetable Income - Group 2 FIP Related MA and Healthy Kids (2010).

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services determined the proper Medical Assistance (MA) eligibility for Claimant's MA benefit group.

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

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

Date Signed: 4/24/13

Date Mailed: 4/29/13

**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

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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:

