

4. On December 10, 2012, the Department received Claimant's timely written request for hearing.
5. On February 7, 2013, the State Hearing Review Team (SHRT) found Claimant not disabled.
6. Subsequently, the Social Security Administration (SSA) found Claimant entitled to SSI as of October 2012, and found Claimant to be blind as of August 24, 2012.

CONCLUSIONS OF LAW

The Medical Assistance program is established by Subchapter XIX of Chapter 7 of The Public Health & Welfare Act, 42 USC 1397, and is administered by the Department of Human Services ("DHS"), formerly known as the Family Independence Agency, 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 Bridges Reference Manual ("BRM").

Ongoing MA eligibility begins the first day of the month of SSI entitlement. Some clients also qualify for **retroactive** (retro) MA coverage for up to three calendar months prior to SSI entitlement. BEM 150

In this case, the SSA approved Claimant for SSI benefits as of October of 2012, and found Claimant to be blind as of August 24, 2012. In addition to Claimant being approved for SSI as of October of 2012, Claimant also met the disability requirement of meeting Social Security Listing 2.00, as of August 24, 2012. Claimant also testified credibly at the hearing that he is not currently working.

Claimant is therefore found disabled for purposes of the MA-P program as of August of 2012.

DECISION AND ORDER

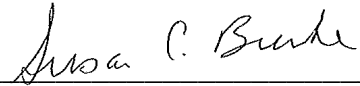
The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Claimant meets the definition of medically disabled under the MA-P program.

Accordingly, it is ORDERED:

1. The Department's determination is REVERSED.

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2. The Department shall initiate processing of the August 23, 2012 application to determine if all other non-medical criteria are met and inform Claimant of the determination in accordance with Department policy.
3. The Department shall review Claimant's continued eligibility in September of 2014, in accordance with Department policy.



Susan C. Burke
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: July 16, 2013
Date Mailed: July 16, 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.

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