

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

**IN THE MATTER OF:**

██████████  
██████████  
██████████

Reg. No.: 2013-26696  
Issue No.: ██████████  
Case No.: 2018  
Hearing Date: July 8, 2013  
County: Macomb (20)

**ADMINISTRATIVE LAW JUDGE:** Colleen M. Mamelka

**HEARING DECISION**

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 conducted from Detroit, Michigan on Monday, July 8, 2013. The Claimant appeared and testified. Participating on behalf of the Department of Human Services ("Department") was ██████████. Interpreting Claimant's testimony from the Department was ██████████.

**ISSUE**

Whether the Department properly closed Claimant's Medical Assistance ("MA") case?

**FINDINGS OF FACT**

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Claimant was a recipient of MA benefits under the Refugee Assistance Program ("RAP") as of June 2012.
2. Claimant was granted asylum and entered this country in April 2012.
3. On November 19, 2012, the Department sent a Notice of Case Action to Claimant notifying him that his RAP benefits would terminate effective January 1, 2013. (Exhibit 1)
4. On January 28, 2013, the Department received Claimant's timely written request for hearing.

**CONCLUSIONS OF LAW**

The Medical Assistance program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations. 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. Department policies are contained in the Bridges Administrative Manual (“BAM”), the Bridges Eligibility Manual (“BEM”), and the Bridges Reference Tables (“RFT”).

The refugee assistance programs are federal programs which help refugees to become self-sufficient after their arrival in the United States. BEM 630 (November 2012), p. 1. RAP has two components; Refugee Case Assistance (“RCA”) and Refugee Medical Assistance (“RMA”). BEM 630, p. 1. RCA and/or RMA is available **only** during the eight months immediately following the refugee’s date of entry into the United States or date asylum is granted. BEM 630, p. 1. Month one is the month containing date of entry or date of adjustment to refugee status. BEM 630, p. 1.

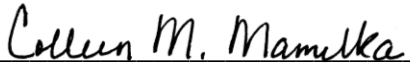
In this case, Claimant was granted asylum and entered the United States in April 2012. In June 2012, Claimant submitted an application for MA benefits. The Department approved MA coverage under the RMA program. Pursuant to policy, RMA was only available to Claimant for the eight months from his date of entry into the United States. Claimant entered this country in April 2012, therefore the Department properly terminated RMA benefits effective January 1, 2013; 8 months later.

Ultimately, the Department established it acted in accordance with policy when it terminated Claimant’s RMA benefits eight months after Claimant entered this country. Accordingly, the Department’s actions are AFFIRMED.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department acted in accordance with Department policy when it terminated RMA benefits eight months after Claimant entered this country.

Accordingly, the Department’s determination is AFFIRMED.

  
**Colleen M. Mamelka**  
Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: July 15, 2013

Date Mailed: July 15, 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.

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

CMM/tm

cc: [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
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