

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-28323
Issue No.: 2018
Case No.: [REDACTED]
Hearing Date: July 16, 2013
County: St. Joseph

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

SETTLEMENT ORDER

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 held on July 16, 2013, from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED]. Claimant did not participate. Participants on behalf of the Department of Human Services (Department) included Assistance Payment Supervisor [REDACTED] and Eligibility Specialist [REDACTED].

ISSUE

Whether the Department properly notified Claimant's authorized representative about the denial of Claimant's application for Medical Assistance (MA) and Retro-MA 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. On August 27, 2012, the Department denied Claimant's application for MA and Retro-MA benefits.
2. On August 27, 2012, the Department sent notice to Claimant of the denial, effective November 1, 2011.
3. On February 4, 2013, Claimant's authorized representative filed a request for a hearing concerning the Department's action.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Relief Manual (ERM).

The Medical Assistance (MA) program is established by the 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 (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant's authorized representative requested a hearing to dispute the Department's action. Soon after commencement of the hearing, the department admitted there was no proof in the file that the authorized representative had been sent the 8/27/12 Notice of Case Action. The parties then testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to issue a new Notice of Case Action, dated 7/16/13, the date of the hearing, denying Claimant's application for MA and Retro-MA effective November 1, 2011.

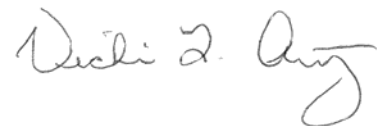
As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Issue a new Notice of Case Action to Claimant's authorized representative indicating Claimant's application for MA and Retro-MA was denied effective 11/1/11.



Vicki L. Armstrong
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: July 16, 2013

Date Mailed: July 17, 2013

NOTICE: 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.

VLA/las

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