

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 201335044  
Issue No.: 2000  
Case No.: [REDACTED]  
Hearing Date: July 3, 2013  
County: Wayne DHS (35)

**ADMINISTRATIVE LAW JUDGE:** Christian Gardocki

**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 three-way telephone hearing was held on July 3, 2013, from Detroit, Michigan. Participants included [REDACTED] as Claimant's authorized hearing representative. Participants on behalf of the Department of Human Services (Department) included [REDACTED], Manager, and [REDACTED], Specialist.

**ISSUE**

The issue is whether DHS timely processed Claimant's application for Medical Assistance (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 5/25/12, Claimant applied for MA benefits, including retroactive benefits from 2/2012.
2. On an unspecified date, DHS determined that Claimant was eligible for Medicaid benefits, effective 2/2012.
3. As of the date of hearing, DHS had not processed Claimant's Medicaid eligibility.
4. On 3/6/13, Claimant's AHR requested a hearing to compel DHS to process Claimant's application.

**CONCLUSIONS OF LAW**

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. DHS regulations are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

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 requested a hearing to dispute a failure by DHS to process Claimant's MA benefit application. DHS conceded that Claimant was eligible for Medicaid benefits, effective 2/2012, but that there are technical difficulties in processing the eligibility.

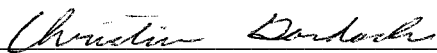
Soon after commencement of the hearing, the parties testified that they reached a settlement concerning the disputed action. Consequently, DHS proposed to process Claimant's eligibility for Medicaid, effective 2/2012. Claimant's AHR accepted the DHS proposal. As the agreement appears to comply with DHS regulations, the settlement among the parties shall be accepted as an appropriate outcome for the benefit dispute.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact, conclusions of law and by agreement of the parties, finds that DHS improperly failed to process Claimant's application for MA benefits. It is ordered that DHS:

- (1) process Claimant's MA eligibility, effective 2/2012, subject to the agreement that Claimant is a disabled individual eligible for Medicaid from 2/2012; and
- (2) supplement Claimant for any benefits improperly not issued.

The actions taken by DHS are REVERSED.

  
Christian Gardocki  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: 7/10/2013

Date Mailed: 7/10/2013

**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.

CG/hw

cc:

