

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

IN THE MATTER OF:

██████████
██████████
██████████
████████████████████

Reg. No.: 2013-35443
Issue No.: 2000
Case No.: ██████████
Hearing Date: June 19, 2013
County: Oakland (2)

ADMINISTRATIVE LAW JUDGE: Eric Feldman

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 June 19, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant and ██████████. Participants on behalf of the Department of Human Services (Department) included ██████████ Eligibility Specialist.

ISSUE

Did the Department properly calculate Claimant's Medical Assistance (MA) deductible effective ██████████ ongoing?

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 was an ongoing recipient of MA benefits.
2. On February 27, 2013, the Department sent Claimant a Notice of Case Action advising her that, effective April 1, 2013, ongoing, she would receive MA coverage with a \$2,395 deductible. Exhibit 1.
3. On March 11, 2013, Claimant's mother filed a request for hearing, disputing the Department's action. Exhibit 1.

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 mother requested a hearing to dispute the Department's actions. Soon after commencement of the hearing, the parties testified they had reached a settlement concerning the disputed action.

At the hearing, Claimant's mother agreed to the Department's actions regarding the February 27, 2013, Notice of Case Action, which advised Claimant that, effective April 1, 2013, ongoing, she would receive MA coverage with a \$2,395 deductible. Exhibit 1. Moreover, it was discovered during the hearing that the Claimant's mother employment would be ending. Thus, Claimant's mother wanted her daughter's MA eligibility to be reprocessed and recalculated due to her employment ending.

The Department agreed to register and process Claimant's MA eligibility for the next benefit period, subject to verification of Claimant's mother employment. Also, the Department would calculate the MA budget for the next benefit period and it would notify Claimant c/o her mother of its MA decision in accordance with Department policy.

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.

Accordingly, it is ORDERED:

1. The February 27, 2013, Notice of Case Action is AFFIRMED.



Eric Feldman
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: July 8, 2013

Date Mailed: July 8, 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.

EJF/cl

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