

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

IN THE MATTER OF:

Reg.

No: 2013-17066

Issue No: 2009

Case No: [REDACTED]

Hearing Date: March 12, 2013

Monroe County DHS

ADMINISTRATIVE LAW JUDGE: Suzanne L. Morris

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon claimant's request for a hearing. After due notice, a telephone hearing was held on March 12, 2013. The claimant was represented by [REDACTED]. The claimant personally appeared and provided testimony, along with [REDACTED] a friend. The department representative was [REDACTED].

ISSUE

Did the department properly determine claimant's disability status for Medicaid (MA) eligibility purposes?

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 applied for MA and retro MA on June 29, 2012.
2. The Medical Review Team (MRT) denied the application on September 6, 2012.
3. The State Hearing Review Team (SHRT) denied the application on February 8, 2013.
4. An interim order was issued to obtain additional medical documentation on behalf of the claimant. On March 13, 2013, SHRT approved the claimant for MA, and retro MA (SDA was previously approved by MRT).

CONCLUSIONS OF LAW

The Medical Assistance (MA) program is established by 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 (DHS or department) administers the MA program 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 (RFT).

In the present case, the department, through SHRT, has determined that the claimant meets the disability standard and is eligible for MA and retro MA (and SDA). A medical review is to be conducted at April, 2014, per SHRT.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department, through SHRT, properly determined claimant's disability status.

Accordingly, SHRT's decision is **AFFIRMED** and claimant shall receive MA, retro MA and SDA, as long as claimant meets all of the other non-medical requirements necessary to receive them. Additionally, the local office shall initiate an MA review by April, 2014 to determine claimant's eligibility for continued MA and SDA, as specified on SHRT's decision dated March 13, 2013.

SO ORDERED.

/s/
Suzanne L. Morris
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: July 12, 2013

Date Mailed: July 12, 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 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

SLM/hj

cc:

