

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2013-22316
Issue No: 2009
Case No: [REDACTED]
Hearing Date: April 18, 2013
Bay County DHS

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

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 to protest the denial of claimant's application for Medical Assistance (MA). After due notice, a telephone hearing was held on April 18, 2013. Claimant appeared and testified. The department was represented at the hearing by [REDACTED] Family Independence Manager [REDACTED]

ISSUE

Whether the Department of Human Services (the Department) appropriately determined claimant's disability onset date for Medical Assistance (MA) eligibility?

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 November 20, 2012, claimant filed an application for Medical Assistance and Retroactive Medical Assistance benefits alleging disability.
2. On December 21, 2012, the Medical Review Team denied claimant's application stating that claimant could perform other work pursuant to Medical vocational rule 202.21
3. On December 28, 2012, the department caseworker sent claimant notice that his application was denied.
4. On January 9, 2013, claimant filed a request for a hearing to contest the department's negative action.

5. On February 27, 2013, the State Hearing Review Team again denied claimant's application
6. The hearing was held on April 18, 2013. At the hearing, claimant waived the time periods and requested to submit additional medical information.
7. Additional medical information was submitted and sent to the State Hearing Review Team on May 24, 2013.
8. On July 16, 2013, the State Hearing Review Team approved claimant's application and the hearing record closed July 18, 2013.
9. On June 14, 2013, the Social Security Administration approved claimant for SSI with a disability onset date of January 1, 2009.

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 Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Because of the SHRT determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability, per BAM, Item 600.

Because of the Social Security Administration determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability. PEM, Item 260. Ongoing MA eligibility begins the first day of the month of SSI entitlement. BEM, Item 150, page 1.

The department is required to initiate a determination of claimant's financial eligibility for the requested benefits, if not previously done.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the claimant meets the definition of medically disabled under the Medical Assistance Program in accordance with the decision of the Social Security Administration and State Hearing Review Team decision from August 2012 forward.

Accordingly, if it has not already done so, the department is **ORDERED** to open an ongoing Medical Assistance case for the claimant effective the month of the SSI entitlement.

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LYL/las

cc:

