

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-47429
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: July 24, 2013
County: Wayne County (#15)

ADMINISTRATIVE LAW JUDGE: MICHELLE HOWIE

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 based on Claimant's February 26, 2010 request for a hearing, which was reopened on July 5, 2013. After due notice, a telephone hearing was conducted on Wednesday, July 24, 2013, from Detroit, Michigan. Participant on behalf of Claimant was [REDACTED] (Authorized Hearing Representative- (AHR) from [REDACTED]. Participant on behalf of the Department of Human Services (Department) was [REDACTED] (Eligibility Specialist).

ISSUE

Whether the Department properly processed the Claimant's application for Medical Assistance (MA)?

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 October 17, 2008, the Department received Claimant's application for Medicaid with request for retro MA to July 2008.
2. The Department did not register the application or take any action.
3. On February 26, 2010, the Department received a written hearing request from L&S on behalf of Claimant concerning the processing of the MA application.
4. At hearing the parties reached a settlement agreement.

CONCLUSIONS OF LAW

The Department of Human Services (DHS) 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, the AHR requested a hearing on behalf of Claimant to dispute the Department's lack of action on the MA application. Soon after commencement of the hearing, the parties reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: Upon receipt of the reconstructed MA application packet from [REDACTED] for a second time, the Department will register the October 17, 2008 application and process in accordance with policy.

As a result of this settlement, the AHR 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 the AHR have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF THIS DECISION:

1. The Department shall register Claimant's October 17, 2008 application for MA benefits and process in accordance with department policy.



Michelle Howie
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 8/13/2013

Date Mailed: 8/13/2013

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.

MH/hw

cc:

