

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

IN THE MATTER OF:

[REDACTED]

Reg No. 2013-37156
Issue No. 2001
Case No. [REDACTED]
Hearing Date: August 14, 2013
Macomb #12 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 the claimant's request for a hearing. After due notice, a telephone hearing was held on August 14, 2013. The claimant appeared and testified. The department was represented by Eligibility Specialist [REDACTED].

ISSUE

Did the department of Humans Services (the department) properly deny claimant's application for the Adult Medical Program (AMP)?

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 3/12/13, claimant applied for Medical Assistance benefits.
- (2) On March 12, 2013, the department caseworker sent claimant notice that his application was denied, stating that claimant was not blind, disabled, pregnant, parent/caretaker relative of a dependent child nor met age requirements. The Adult Medical Program was closed to enrollment on 3/12/13
- (3) On March 25, 2013, claimant filed a request for a hearing to contest the department's negative action.

CONCLUSIONS OF LAW

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (formerly known as the Family Independence Agency) pursuant to MCL 400.10 *et seq.* Department policies are contained in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Based upon claimant's age and the fact that he has no minor children in the home and he is not considered disabled, the Adult Medical Program (AMP) is the only form of Medical Assistance (MA) available through the department of Human Services. The enrollment period was not open on 3/12/13. Because the department was unable to determine claimant's eligibility for the Adult Medical Program because the program was closed to new enrollments, the department's decision must be upheld.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department has established by the necessary competent, material and substantial evidence on the record that it was acting in compliance with department policy when it denied claimant's application for the Adult Medical Program because the enrolment period was closed on date of application.

Accordingly, the department's decision is **AFFIRMED**.

/s/ _____
Landis Y. Lain
Administrative Law Judge
For Ismael Ahmed, Director
Department of Human Services

Date Signed: 8/15/13

Date Mailed: 8/15/13

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 mailing 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.

LYL/tb

cc:

