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

IN THE MATTER OF:		
	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2013 37419 2000 July 24, 2013 Oakland (03)
ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris		
SETTLEMENT O	<u>RDER</u>	
This matter is before the undersigned Administrate and MCL 400.37 following Claimant's request for person hearing was held on July 24, 2013, from appearing on behalf of Claimant included Hearing Representative. The Claimant did not a Department of Human Services (Department) in Payments Supervisor.	or a hearing. Aft Walled Lake, Mi the Cappear. Participa	er due notice, an in chigan. Participants Claimant's Authorized
<u>ISSUE</u>		
Whether the Department properly:		
<ul> <li>☑ denied Claimant's application for benefits</li> <li>☐ closed Claimant's case for benefits</li> <li>☐ reduced Claimant's benefits</li> </ul>		
for:		
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐		Assistance (SDA)? ent and Care (CDC)?

## **FINDINGS OF FACT**

☐ State Emergency Services (SER)?

Adult Medical Assistance (AMP)?

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1.	On September 1, 2012, the Department:
	<ul> <li>☑ denied Claimant's application for benefits</li> <li>☐ closed Claimant's case for benefits</li> <li>☐ reduced Claimant's benefits</li> </ul>
	under the following program(s):
	☐ FIP ☐ FAP ☐ MA ☐ AMP ☐ SDA ☐ CDC ☐ SER.
2.	On November 15, 2012, the Department sent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:
	<ul> <li>☑ denial</li> <li>☐ closure</li> <li>☐ reduction.</li> <li>The Claimant's AHR did not receive the Notice of Case Action until 12/27/12.</li> </ul>
3.	On March 19, 2013, Claimant filed a request for hearing concerning the Department's action. The hearing request was timely as the Claimant's AHR did not receive notice of the denial until December 27, 2012.
Eligibi	tment policies are found in the Bridges Administrative Manual (BAM), the Bridges lity Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Manual (ERM).
Securi The D	e Medical Assistance (MA) program is established by the Title XIX of the Social ity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). Department of Human Services (formerly known as the Family Independence by) administers the MA program pursuant to MCL 400.10, et seq., and MCL 05.
	w provides that disposition may be made of a contested case by stipulation or d settlement. MCL 24.278(2).
Soon settler the fol applica AHR v	present case, Claimant requested a hearing to dispute the Department's action. after commencement of the hearing, the parties testified that they had reached a nent concerning the disputed action. Consequently, the Department agreed to do lowing: The Department agreed to re-register and process the March 20, 2012 ation to the MRT and to include the medical evidence provided by the Claimant's with the application from which was not submitted to the MRT are original medical packet. See Claimant Exhibit A.
Asar	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.

THE DEPARTMENT IS ORDERED TO INITIATE THE FOLLOWING ACTION WITHIN TEN DAYS OF THE MAILING DATE OF THIS ORDER:

- 1. The Department shall re-register the Claimant's March 20, 2012 application for Medical Assistance and process the application to determine the Claimant's eligibility for benefits.
- 2. The Department shall send the application to the MRT and shall include all medical evidence including the medical packet originally supplied to the Department with the application and shall include the admission records marked Claimant Exhibit A.

Lynn M. Ferris
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: August 6, 2013

Date Mailed: August 6, 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.

## LMF/cl

CC: