

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 201349938  
Issue No.: 2009, 4031  
Case No.: [REDACTED]  
Hearing Date: October 16, 2013  
County: Calhoun

**ADMINISTRATIVE LAW JUDGE:** C. Adam Purnell

**HEARING DECISION**

Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 42 CFR 431.200 to 431.250; and 45 CFR 205.10. After due notice, a telephone hearing was held on October 16, 2013, from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED] [REDACTED] (Care Manager from [REDACTED] [REDACTED]), [REDACTED] [REDACTED] (Claimant's father) and [REDACTED] (Claimant). Participants on behalf of the Department of Human Services (Department) included [REDACTED] [REDACTED] (Eligibility Specialist).

**ISSUE**

Did the Department properly determine Claimant's disability status for Medical Assistance (MA-P), Retroactive MA and State Disability Assistance (SDA)?

**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 January 3, 2013, Claimant filed an application for Medical Assistance and State Disability Assistance benefits alleging disability.
2. On March 20, 2013, the Medical Review Team (MRT) denied Claimant's application.
3. On May 22, 2013, the Department mailed Claimant a Notice of Case Action (DHS-1605) which denied Claimant's application.

4. On May 28, 2013, Claimant filed a request for a hearing to contest the Department's action.
5. On August 9, 2013, the State Hearing Review Team (SHRT) denied Claimant's application.
6. A telephone hearing was held on October 16, 2013. The Administrative Law Judge held the record open to allow for additional psychological records to be submitted. Claimant consented and agreed to extend the time periods.
7. On October 17, 2013, the Administrative Law Judge entered an Interim Order Extending the Record an additional 30 days for the submission of the additional psychological records.
8. The above records were forwarded to the SHRT.
9. On October 25, 2013 the SHRT reversed its earlier denial of Claimant's disputed MA/Retro-MA and SDA application based on a September 17, 2013 Fully Favorable Social Security Decision, with an established onset date of [REDACTED].

#### **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 Program Reference Manual (PRM).

In the present case, the SHRT reversed its earlier finding of lack of disability based on the SSA's disability allowance which was received while Claimant's appeal was pending. The SSA's decision currently establishes that Claimant is disabled and has been disabled at all times relevant to his MA/Retro-MA application.

#### **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 upon consideration of the Fully Favorable Social Security Disability decision reviewed for the first time after the hearing.

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

IT IS ORDERED THAT:

1. The Department shall approve Claimant's MA/Retro-MA/SDA benefits effective [REDACTED], for Claimant as long as he is otherwise eligible to receive them.
2. Departmental review of Claimant's medical condition is not necessary as long as his SSA disability status continues.



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**C. Adam Purnell**  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: November 12, 2013

Date Mailed: November 13, 2013

**NOTICE OF APPEAL:** 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 or Reconsideration was made, within 30 days of the receipt date of the Decision and Order of Reconsideration or Rehearing Decision.

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).

A Request for Rehearing or Reconsideration may be granted when one of the following exists:

- Newly discovered evidence that existed at the time of the original hearing that could affect the outcome of the original hearing decision;
- Misapplication of manual policy or law in the hearing decision which led to a wrong conclusion;
- Typographical, mathematical or other obvious error in the hearing decision that affects the rights of the client;
- Failure of the ALJ to address in the hearing decision relevant issues raised in the hearing request.

The Department, AHR or the claimant must specify all reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration. A request must be *received* in MAHS within 30 days of the date the hearing decision is mailed.

The written request must be faxed to (517) 335-6088 and be labeled as follows:

Attention: MAHS Rehearing/Reconsideration Request

201349938/CAP

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings  
Reconsideration/Rehearing Request  
P.O. Box 30639  
Lansing, Michigan 48909-07322

CAP/aca

cc:

