

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-1436
Issue No.: 2026
Case No.: [REDACTED]
Hearing Date: January 10, 2013
County: Wayne (49)

ADMINISTRATIVE LAW JUDGE: Jan Leventer

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a hearing was held on January 10, 2013, at Detroit, Michigan. Participants on behalf of Claimant included the Claimant and her husband, [REDACTED]. Participants on behalf of the Department of Human Services (Department) included [REDACTED], Assistance Payments Worker and [REDACTED], Family Independence Manager.

ISSUE

Did the Department properly determine that Claimant met her Medicaid Patient Pay Amount (PPA or deductible) for June, 2012?

FINDINGS OF FACT

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

1. Claimant applied for benefits received benefits for:

- | | |
|--|---|
| <input type="checkbox"/> Family Independence Program (FIP). | <input type="checkbox"/> Adult Medical Assistance (AMP). |
| <input type="checkbox"/> Food Assistance Program (FAP). | <input type="checkbox"/> State Disability Assistance (SDA). |
| <input checked="" type="checkbox"/> Medical Assistance (MA). | <input type="checkbox"/> Child Development and Care (CDC). |

2. On July 9, 2012, the Department sent Claimant a Notice of Case Action stating that her Medicaid Patient Pay Amounts (PPA or deductible) of \$864 per month for herself, and \$864 for her husband, were met.
3. On August 27, 2012, Claimant filed a hearing request, disputing the Notice of Case Action.

CONCLUSIONS OF LAW

Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).

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.

Additionally, at the hearing the Department explained that the Claimant's deductible for June, 2012, was met by the June 5, 2012, medical expenses at Henry Ford Health Systems. Dept. Exh. 1, p. 5. Claimant questioned why she did not receive a deduction for a balance owing in July, 2012, carried over from the June 5, 2012 medical treatment. *Id.*, p. 7.

Bridges Administrative Manual (BAM) 402, "MA/AMP Benefits," states that the billing procedures to be used to obtain payment for services rendered must be based on the date the health care service is provided. Department of Human Services Bridges Administrative Manual (BAM) 402 (2012), p. 8. According to BAM 402, coverage is provided in the month in which the date of service occurs, and not the month the provider bills the customer.

At the hearing, the Department explained this procedure to Claimant, and she indicated that she understood and was satisfied with the Department's explanation. Accordingly, the Department's action in this case is affirmed.

Based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department

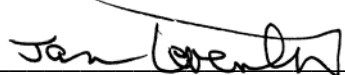
- properly determined that Claimant's deductible was met for June, 2012.
- improperly denied Claimant's application
- properly closed Claimant's case
- improperly closed Claimant's case

for: AMP FIP FAP MA SDA CDC.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department did act properly. did not act properly.

Accordingly, the Department's AMP FIP FAP MA SDA CDC decision is AFFIRMED REVERSED for the reasons stated on the record.



Jan Leventer
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: January 11, 2013

Date Mailed: January 11, 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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at
Michigan Administrative Hearings
Reconsideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

JL/tm

cc:

