

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-14385
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: April 29, 2013
County: Wayne (82-35)

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

SETTLEMENT ORDER

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 telephone hearing was held on April 29, 2013, from Detroit, Michigan. Participants on behalf of Claimant included [REDACTED]

[REDACTED] Participants on behalf of the Department of Human Services (Department) included [REDACTED]

ISSUE

Whether the Department properly processed Claimant's October 14, 2010, Adult Medical Assistance (AMP) application.

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 14, 2010, Claimant applied for Medical Assistance (MA), and the Department denied the application.
2. On May 23, 2012, a hearing was held and, in a May 25, 2012, Hearing Decision, Administrative Law Judge [REDACTED] reversed the Department, finding that it had failed to send a Verification Checklist and Notice of Case Action to Claimant's authorized representative, and ordered the Department to reprocess the application.

3. On November 5, 2012, Claimant's AHR filed a request for hearing concerning the Department's failure to reprocess the application.

CONCLUSIONS OF LAW

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), Reference Tables Manual (RFT), and 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 Adult Medical Program (AMP) is established by 42 USC 1315, and is administered by the Department pursuant to MCL 400.10, *et seq.*

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, Claimant's AHR requested a hearing to dispute the Department's action. At the hearing, the Department acknowledged that it had not reprocessed Claimant's October 14, 2010, AMP application as required by [REDACTED] May 25, 2012, Hearing Decision. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: (i) reregister and begin reprocessing Claimant's October 14, 2010, AMP application in accordance with Department policy, including requesting necessary verifications from Claimant and the AHR; (ii) provide AMP coverage to Claimant that he is eligible to receive from October 14, 2010, ongoing; and (iii) notify Claimant and Claimant's AHR in writing of its decision in accordance with Department policy.

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

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Reregister and begin reprocessing Claimant's October 14, 2010, AMP application in accordance with Department policy, including requesting necessary verifications from Claimant and the AHR;
2. Provide AMP coverage to Claimant that he is eligible to receive from October 14, 2010, ongoing; and
3. Notify Claimant and Claimant's AHR in writing of its decision in accordance with Department policy.



Alice C. Elkin
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: May 1, 2013

Date Mailed: May 2, 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.

ACE/pf

cc:

