

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-16482
Issue No.: 2000
Case No.: 1 [REDACTED] 0
Hearing Date: May 2, 2013
County: Wayne (19)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

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 Thursday, May 2, 2013, from Detroit, Michigan. Claimant did not appear, however; her Authorized Hearing Representative ("AHR"), [REDACTED] appeared and testified. Participating on behalf of the Department of Human Services ("Department") was [REDACTED] and [REDACTED].

ISSUE

Whether the Department properly processed Claimant's application for retroactive Medical Assistance ("MA") benefits for the months of October through December 2011?

FINDINGS OF FACT

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

1. Claimant/AHR submitted an application for MA benefits, retroactive to October 2011, on January 19, 2012.
2. The Department approved the MA application but did not determine eligibility for the requested retroactive months.
3. For the period at issue, October through December 2011, Claimant's child was 18 years old and a full-time high school student expected to graduate in June 2012.

4. On November 12, 2012, the Department received Claimant/AHR's written request for hearing protesting the failure to determine MA eligibility for the months of October through December 2011.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual ("BAM"), the Bridges Eligibility Manual (BEM), the Reference Tables Manual ("RFT"), and the 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 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 was approved for MA benefits based on her status of a caretaker relative of a minor child. For the period at issue, October through December 2011, the child was 18 years old and full-time high school student expected to graduate in June 2012. As such, the Department agreed to determine MA eligibility for the retroactive months of October through December 2011. Claimant/AHR was agreeable to the resolution leaving no other issue to address.

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. Initiate processing of Claimant's MA eligibility, as agreed, for the period from October 2011 through December 2011, in accordance with Department policy.
2. The Department shall notify Claimant/AHR in writing of the determination in accordance with Department policy.

