

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

IN THE MATTER OF:



Reg. No.: 201317440
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: May 2, 2013
County: Wayne (15)

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 May 2, 2013, from Detroit, Michigan. Participants on behalf of Claimant included [REDACTED], a hearing representative for [REDACTED], Claimant's Authorized Representative and Authorized Hearing Representative (AHR). Participants on behalf of the Department of Human Services (Department) included [REDACTED], Assistance Payment Worker.

ISSUE

Whether the Department properly processed Claimant's May 25, 2012, Medical Assistance (MA) 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 May 25, 2012, Claimant filed an MA application.
2. At the time, Claimant had ongoing MA coverage.
3. On December 10, 2012, Claimant's AHR filed a request for hearing concerning the Department's failure to process 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 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 failure to process Claimant's May 25, 2012 MA application. At the hearing, the Department testified that Claimant's May 25, 2012 MA application was not processed because, at the time of her application, Claimant's had active, ongoing MA coverage with a deductible. The Department further testified that medical bills for expenses incurred in January 2012 and May 2012 had been submitted on, or about April 24, 2013, and it had requested assistance from Lansing to have the expenses processed. 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) begin applying Claimant's medical bills submitted on, or about April 24, 2013, to Claimant's active MA case for January 2012 and May 2012; (ii) pay any amounts in excess of Claimant's MA deductible to providers in accordance with Department policy; and (iii) notify Claimant and her AHR in writing of its actions in accordance with Department policy.

As a 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.

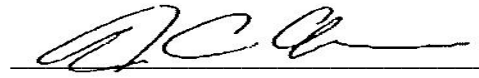
DECISION AND ORDER

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 DO THE FOLLOWING:

1. Begin applying Claimant's medical bills submitted on, or about April 24, 2013, to Claimant's active MA case for January 2012 and May 2012;
2. Pay any amounts in excess of Claimant's MA deductible to providers in accordance with Department policy; and

3. Notify Claimant and her AHR in writing of its action in accordance with Department policy.



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

Date Signed: 5/9/2013

Date Mailed: 5/9/2013

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/hw

cc:

