

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 2013-30094  
Issue No.: 2000  
Case No.: [REDACTED]  
Hearing Date: July 8, 2013  
County: Wayne (82-18)

**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 July 8, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant and [REDACTED]

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

**ISSUE**

Whether the Department properly applied Claimant's wife's July 2010 medical bills to her Medical Assistance (MA) case.

**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 was an ongoing recipient of MA subject to a deductible.
2. On February 11, 2013, Claimant's wife's AHR filed a request for hearing concerning the Department's failure to activate Claimant's MA coverage for July 2010.

### **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 wife's AHR requested a hearing to dispute the Department's failure to activate MA coverage for July 2010. 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: (1) contact the providers identified by Claimant to obtain Claimant's wife's July 2010 medical bills; (2) if the amount of the medical bills exceeds the deductible, begin activating Claimant's wife's MA coverage for July 2010 and begin paying the provider(s) the allowable expenses identified on the medical bills, in accordance with Department policy; and (3) notify Claimant and the AHR of its actions, either activating coverage if the amount of the medical bills exceeds the deductible or denying coverage if the amount of the medical bills does not exceed the deductible.

As a result of this settlement, the 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.

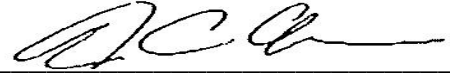
### **DECISION AND ORDER**

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. Contact the providers identified by Claimant to obtain Claimant's wife's July 2010 medical bills;
2. If the amount of the medical bills exceeds the deductible, begin activating Claimant's wife's MA coverage for July 2010 and begin paying the provider(s) the allowable expenses identified on the medical bills, in accordance with Department policy; and

3. Notify Claimant and the AHR of its actions, either activating coverage if the amount of the medical bills exceeds the deductible or denying coverage if the amount of the medical bills does not exceed the deductible.



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

Date Signed: July 9, 2013

Date Mailed: July 10, 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:

