

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-30797
Issue No.: 2012
Case No.: [REDACTED]
Hearing Date: June 4, 2013
County: Oakland-03 County DHS

ADMINISTRATIVE LAW JUDGE: Corey A. Arendt

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 telephone hearing was held on June 4, 2013, from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED] (Representative) and [REDACTED]. Participants on behalf of Department of Human Services (Department) included [REDACTED].

ISSUE

Did the Department fail to apply deductible coverage in October of 2010?

FINDINGS OF FACT

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

1. As of October 2010, the Claimant had an open Medical Assistance (MA) deductible case.
2. On January 10, 2011, [REDACTED] submitted medical bills to the Department on behalf of the Claimant. The medical bills were from [REDACTED].
3. On March 11, 2011, [REDACTED] submitted to the Department a second time, medical bills from [REDACTED].
4. On June 10, 2011, [REDACTED] submitted to the Department a third time, medical bills from [REDACTED].
5. On June 29, 2011, [REDACTED] submitted to the Department a fourth time, medical bills from [REDACTED].
6. At no point in time did the Department process the medical bills submitted by [REDACTED] and apply them to the Claimant's MA deductible.

7. On August 9, 2011, [REDACTED] requested a hearing to prompt the Department to apply the previously submitted medical bills to the Claimant's October 2010 deductible.

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 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.

In this case the parties had stipulated that [REDACTED] had timely submitted the medical bills to the Department (Wayne County office not the Oakland County Walled Lake District office). The Department witness indicated she had attempted to locate the file to verify the receipt of the documents and determine what was done with the case but did not receive the file. However, because there is no dispute as to the timely receipt of the bills in question and because the Department could not explain what happened with the case (specifically why the bills were not applied), I am reversing the Department in this matter.

Accordingly, I find the Department did not properly follow the applicable laws and policies in processing the Claimant's October 2010 medical bills.

DECISION AND ORDER

I find, based upon the above Findings of Fact and Conclusions of Law the Department did not act properly.

Accordingly, the Department's MA decision is **REVERSED**.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Initiate the processing of the Claimant's medical bills from October of 2010 that were submitted to the Department on January 10, 2011.



Corey A. Arendt
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: June 5, 2013

Date Mailed: June 5, 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

CAA/las

cc:

