

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 20133465  
Issue No.: 2001  
Case No.: [REDACTED]  
Hearing Date: February 14, 2013  
County: Ingham County DHS

**ADMINISTRATIVE LAW JUDGE:** C. Adam Purnell

**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 February 14, 2013, from Lansing, Michigan. Claimant personally appeared and provided testimony. Participants on behalf of Department of Human Services (Department) included [REDACTED] (Eligibility Specialist).

**ISSUE**

With respect to the Adult Medical Assistance (AMP) Program, did the Department properly  deny Claimant's application?  close Claimant's case?

**FINDINGS OF FACT**

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

1. Claimant  applied for  was a recipient of AMP benefits.
2. Claimant  was  was not living with a spouse during the time period in question.
3. The total countable income of Claimant's household was \$ [REDACTED] at all times relevant to this matter.
4. The Department  denied Claimant's application  closed Claimant's case due to excess income.
5. On September 24, 2012, the Department sent notice of the  denial  closure to Claimant.
6. On October 4, 2012, Claimant filed a hearing request, protesting the  denial of the application.  closure of the case.

**CONCLUSIONS OF LAW**

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

The two categories of AMP are the G Program (AMP-G) and the H Program (AMP-H). BEM 640. AMP-G consists of SDA cash payment recipients who are eligible for AMP when they: (1) are not eligible for MA or other Department medical programs; and (2) do not have private health care coverage; and (3) there is not an enrollment freeze in effect in the month of application. BEM 640. AMP-H provides clients with medical benefits only. BEM 640. Clients must meet all eligibility factors in BEM 640.

Income eligibility exists when the program group's net income does not exceed the program group's AMP income limit. BEM 640. The AMP income limits are in RFT 236.

For AMP-H, the Department will use only countable and available income. BEM 640. Countable income is income remaining after applying AMP policy in BEM 500, 501, 502, 503, 504. BEM 640. Available means income which is received or can reasonably be anticipated. Available income includes amounts garnisheed from income, joint income, and income received on behalf of a person by his representative. BEM 640.

According to RFT 236, AMP monthly income limits are determined by a client's living arrangement. For a client living independently, the individual monthly income limit is \$316. RFT 236. Here, Claimant's total countable monthly income was \$ [REDACTED] less \$ [REDACTED] plus 20% earned income deduction of \$ [REDACTED] which is \$ [REDACTED]. Claimant's net earned income of \$ [REDACTED] exceeds the AMP income limit of \$ [REDACTED] based on Claimant's living arrangement under RFT 236.

Based on the above Findings of Fact and Conclusions of Law, and for reasons stated on the record, the Administrative Law Judge concludes that the Department

- properly denied Claimant's application.     improperly denied Claimant's application.  
 properly closed Claimant's case.         improperly closed Claimant's case.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department  did act properly.  did not act properly.

Accordingly, the Department's AMP decision is  AFFIRMED  REVERSED for the reasons stated on the record.

IT IS SO ORDERED.

/s/ \_\_\_\_\_  
C. Adam Purnell  
Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: February 15, 2013

Date Mailed: February 19, 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.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing 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

20133465/CAP

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

CAP/cr

cc:

