

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

IN THE MATTER OF:



Reg. No.: 201339949
Issue No.: 2000
Case No.:
Hearing Date: August 8, 2013
County: Macomb County (#20)

ADMINISTRATIVE LAW JUDGE: MICHELLE HOWIE

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's April 8, 2013 request for a hearing. After due notice, a telephone hearing was conducted on Thursday, August 8, 2013, from Detroit, Michigan. The Claimant appeared and testified. Participant on behalf of the Department of Human Services (Department) was (Eligibility Specialist).

ISSUE

Whether the Department properly:

- denied Claimant's application for benefits
- closed Claimant's case for benefits
- reduced Claimant's benefits

for:

- | | |
|---|---|
| <input type="checkbox"/> Family Independence Program (FIP)? | <input type="checkbox"/> State Disability Assistance (SDA)? |
| <input type="checkbox"/> Food Assistance Program (FAP)? | <input type="checkbox"/> Child Development and Care (CDC)? |
| <input checked="" type="checkbox"/> Medical Assistance (MA)? | <input type="checkbox"/> State Emergency Services (SER)? |
| <input checked="" type="checkbox"/> Adult Medical Assistance (AMP)? | |

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 April 2, 2013 the Department:

- denied Claimant's application for benefits
- closed Claimant's case for benefits
- reduced Claimant's benefits

under the following program(s):

- FIP
- FAP
- MA
- AMP
- SDA
- CDC
- SER.

2. On April 2, 2013, the Department sent notice to Claimant of the:

- denial
- closure
- reduction.

3. On April 8, 2013, Claimant filed a request for hearing concerning the Department's action.

CONCLUSIONS OF LAW

The Department of Human Services (DHS) 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 Adult Medical Program (AMP) is established by 42 USC 1315, and is administered by the Department pursuant to MCL 400.10, *et seq.*

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 requested a hearing to dispute the Department's denial of medical assistance benefits. Soon after commencement of the hearing, the parties reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: Re-register Claimant's April 1, 2013 application for MA benefits and process the application as a disability determination with the Medical Review Team (MRT), in accordance with policy.

As a result of this settlement, 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 WITHIN 10 DAYS OF THE DECISION AND ORDER:

1. The Department shall re-register the MA application based on disability for the date of April 1, 2013 and continue to process with the MRT in accordance with policy.
2. The Department shall notify Claimant in writing regarding the MRT disability determination.

M. Howie

Michelle Howie
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 8/19/2013

Date Mailed: 8/19/2013

NOTICE: 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.

MH/hw

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