

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-43536
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: June 26, 2013
County: Wayne (82-35)

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 June 26, 2013, from Detroit, Michigan. Participants on behalf of Claimant included [REDACTED] Claimant's authorized hearing representative (AHR). Participants on behalf of the Department of Human Services (Department) included [REDACTED]

ISSUE

Whether the Department properly processed Claimant's November 13, 2012, application for retroactive Medical Assistance (MA) benefits for January 2012.

FINDINGS OF FACT

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

1. The Social Security Administration (SSA) approved Claimant for federal disability-based benefits, with a disability effective date of February 2012.
2. On November 13, 2012, Claimant's AHR filed an application for retroactive MA benefits for January 2012.
3. On April 17, 2013, the AHR filed a request for hearing, alleging the Department had failed to properly process the November 13, 2012, retroactive MA application.

CONCLUSIONS OF LAW

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Department of Human Services Bridges Eligibility Manual (BEM), Department of Human Services Reference Tables Manual (RFT), and Department of Human Services 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.

In the present case, Claimant's AHR requested a hearing to dispute the Department's failure to process Claimant's November 13, 2012, application for retroactive MA coverage for January 2012. At the hearing, the parties confirmed that SSA had found Claimant disabled with a disability onset date of February 2012. The Department testified that the Medical Review Team (MRT) had agreed to review Claimant's eligibility for disability-based MA for January 2012.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). 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) register Claimant's November 13, 2012, retroactive MA application; (2) begin processing the application, provided that Claimant or the AHR provide any documentation necessary to process the application requested by the Department, including MRT; (3) activate Claimant's MA coverage for January 2012 if Claimant is eligible for any such coverage; (4) notify Claimant and the AHR in writing of its decision; and (5) take each of the preceding steps 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. Register Claimant's November 13, 2012, retroactive MA application;
2. Begin processing the application, provided that Claimant or the AHR provide any documentation necessary to process the application requested by the Department, including MRT;

3. Activate Claimant's MA coverage for January 2012 if Claimant is eligible for any such coverage;
4. Notify Claimant and the AHR in writing of its decision; and
5. Take each of the preceding steps in accordance with Department policy.



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

Date Signed: June 27, 2013

Date Mailed: June 27, 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:

