

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

IN THE MATTER OF:

████████████████████
████████████████████
████████████████████

Reg. No.: 2013 46811
Issue No.: 2001
Case No.: ██████████
Hearing Date: June 10, 2013
County: Wayne (55)

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

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, telephone hearing was held on June 10, 2013, from Detroit, Michigan. Participants on behalf of Claimant included the Claimant and the Claimant's Authorized Hearing Representative, ██████████. The Claimant's Authorized Hearing Representative also served as the Claimant's Interpreter. A witness, ██████████, also was present but did not testify. Participants on behalf of the Department of Human Services (Department) included ██████████ ES.

ISSUE

Due to excess income, did the Department properly ☒ deny the Claimant's application
☐ close Claimant's case ☐ reduce Claimant's benefits for:

- | | |
|---|---|
| ☐ Family Independence Program (FIP)? | ☒ Adult Medical Assistance (AMP)? |
| ☐ Food Assistance Program (FAP)? | ☐ State Disability Assistance (SDA)? |
| ☐ Medical Assistance (MA)? | ☐ Child Development and Care (CDC)? |

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 benefits for: ☐ received benefits for:

- | | |
|--|---|
| ☐ Family Independence Program (FIP). | ☒ Adult Medical Assistance (AMP). |
| ☐ Food Assistance Program (FAP). | ☐ State Disability Assistance (SDA). |
| ☒ Medical Assistance (MA). | ☐ Child Development and Care (CDC). |

2. On April 1, 2013, the Department ☒ denied Claimant's application
☐ closed Claimant's case ☐ reduced Claimant's benefits
due to excess income.
3. On May 1, 2013, the Department sent
☒ Claimant ☐ Claimant's Authorized Representative (AR)
notice of the ☒ denial. ☐ closure. ☐ reduction.
4. On May 13, 2013, Claimant or Claimant's AHR filed a hearing request, protesting the
☒ denial of the application. ☐ closure of the case. ☐ reduction of benefits.

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

☒ 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 (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

Additionally, The Claimant acknowledged that as of April 1, 2013 he became eligible of RSDI in the amount of \$629. The income limit for the Adult Medical Program is \$425. RFT 235. BEM 544. Based upon the Income limit the Department correctly determined that the Claimant was not eligible for the Adult Medical Program and that he had no minor child living in the home, thus was not eligible for Group 2 Medicaid as a caretaker of a minor child. Thus it is determined that the Department based upon the RSDI income received, correctly found that the Claimant was not eligible for the AMP program or other Medical Assistance as the RSDI was not based upon disability.

Based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that, due to excess income, the Department ☒ properly ☐ improperly

- ☒ denied Claimant's application
☐ reduced Claimant's benefits
☐ closed Claimant's case

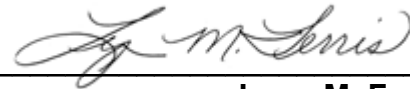
for: ☒ AMP ☐ FIP ☐ FAP ☒ MA ☐ SDA ☐ CDC.

DECISION AND ORDER

The Administrative Law Judge, based upon 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 ☐ FIP ☐ FAP ☐ MA ☐ SDA ☐ CDC decision is ☒ AFFIRMED ☐ REVERSED for the reasons stated on the record.



Lynn M. Ferris

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

Date Signed: June 18, 2013

Date Mailed: June 18, 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 affect the substantial rights of the claimant,
 - 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

LMF/cl

cc:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
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