

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: [REDACTED]
Issue No.: 2006
Case No.: [REDACTED]
Hearing Date: July 10, 2013
County: SSPC-WEST

ADMINISTRATIVE LAW JUDGE: Kevin Scully

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 July 10, 2013, from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED]. Participants on behalf of Department of Human Services (Department) included [REDACTED]. The Claimant's request for a hearing indicated that he was protesting the denial of Food Assistance Program (FAP) benefits, but during the hearing the Claimant testified that he was only protesting the denial of Medical Assistance (MA).

ISSUE

Whether the Department of Human Services (Department) properly determined the Claimant's Medical Assistance (MA) eligibility?

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 Claimant applied for Medical Assistance (MA) on April 30, 2013.
2. On May 1, 2013, the Department sent the Claimant a Verification Checklist (DHS-3503) with a due date of May 13, 2013.
3. On May 21, 2013, the Department notified the Claimant that it had denied his application for Medical Assistance (MA) for failure to provide the Department with information necessary to determine his eligibility to receive benefits.
4. The Department received the Claimant's request for a hearing on May 30, 2013, protesting the denial of his application for Medical Assistance (MA).

CONCLUSIONS OF LAW

The Medical Assistance (MA) program is established by 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 (DHS or Department) administers the MA program pursuant to MCL 400.10, et seq., and MCL 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), Reference Table Manual (RFT), and the Bridges Reference Manual (BRM).

Clients must cooperate with the local office in determining initial and ongoing eligibility. This includes the completion of necessary forms. Department of Human Services Bridges Assistance Manual (BAM) 105 (March 1, 2013), p 5. Verification means documentation or other evidence to establish the accuracy of the client's verbal or written statements. Department of Human Services Bridges Assistance Manual (BAM) 130 (May 1, 2012), p 1. Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level when it is required by policy, required as a local office option, or information regarding an eligibility factor is unclear, inconsistent, incomplete, or contradictory. BAM 130. The Department uses documents, collateral contacts, or home calls to verify information. BAM 130. A collateral contact is a direct contact with a person, organization, or agency to verify information from the client. BAM 130. When documentation is not available, or clarification is needed, collateral contact may be necessary. BAM 130.

On May 30, 2013, the Claimant submitted an application for Medical Assistance (MA). On May 1, 2013, the Department sent the Claimant a Verification Checklist (DHS-3503) with a due date of May 13, 2013. The Department had requested that the Claimant provide verification of his assets. The Claimant submitted verification documents on May 13, 2013, that were insufficient to verify his assets because they did not identify him as the owner. On May 21, 2013, the Department notified the Claimant that it had denied his application for Medical Assistance (MA) for failure to provide the Department with information necessary to determine his eligibility to receive benefits.

The Claimant testified that he was willing to supply the Department with the information that was requested, and relied on Department employees to assist him with submitting copies of his bank statements.

While the Claimant may have relied on a Department employee to assist him with providing verification documents, it remained the Claimant's duty to provide the Department with the required information.

Based on the evidence and testimony available during the hearing, this Administrative Law Judge finds that the Claimant failed to provide the Department with information necessary to determine his eligibility for Medical Assistance (MA) in a timely manner.

[REDACTED]

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department properly denied the Claimant's application for Medical Assistance (MA) for failure to provide the Department with information necessary to determine his eligibility to receive benefits.

The Department's Medical Assistance (MA) eligibility determination is **AFFIRMED**. It is SO ORDERED.

/s/ _____
Kevin Scully
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: 07/11/2013

Date Mailed: 07/11/2013

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.

[REDACTED]

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

KS/sw

cc:

[REDACTED]