

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
FOR THE DEPARTMENT OF COMMUNITY HEALTH
P.O. Box 30763, Lansing, MI 48909
(877) 833-0870; Fax: (517) 373-4147

IN THE MATTER OF:

Docket No. 2013-67365 TRN

██████████

██████████

██████████

Appellant.

_____ /

DECISION AND ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 42 CFR 431.200 *et seq.*, and upon the Appellant's request for a hearing.

After due notice, a hearing was held on ██████████. Appellant appeared and testified on her own behalf. ██████████, Appeals Review Officer, represented the Department of Community Health ("DCH" or "Department"). ██████████ Eligibility Specialist at the ██████████ Department of Human Services ("DHS"), appeared as a witness for the Department.

ISSUE

Did the Department properly deny Appellant's request for reimbursement for travel expenses to medical appointments?

FINDINGS OF FACT

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

1. Appellant is a Medicaid beneficiary with a monthly deductible of ██████████ per month. (Respondent's Exhibit A, page 5).
2. In ██████████, Appellant submitted two Medical Transportation Statements to the ██████████ DHS and sought reimbursement for transportation to ██████████ for medical treatment. (Testimony of Appellant; Testimony of ██████████).
3. One of those requests was for reimbursement of expenses for a trip in ██████████. (Testimony of Appellant).
4. The other was for an upcoming trip in ██████████. (Testimony of Appellant).

5. In ██████████, the Department sent Appellant written notice that the ██████ requests were being denied. (Respondent's Exhibit A, pages 6-9).
6. Both denials stated that Appellant was not eligible to have those expenses paid for by the Department because she had an unmet monthly deductible of ██████. (Respondent's Exhibit A, pages 7, 9).
7. On ██████████, the Michigan Administrative Hearing System (MAHS) received the Request for Hearing filed by Appellant in this matter. (Respondent's Exhibit A, page 4).

CONCLUSIONS OF LAW

The Medical Assistance Program is established pursuant to Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). It is administered in accordance with state statute, the Social Welfare Act, the Administrative Code, and the State Plan under Title XIX of the Social Security Act Medical Assistance Program.

Medical transportation is a Medicaid covered service. Specifically, Bridges Administrative Manual (BAM) 825, states:

You must furnish information in writing and orally, as appropriate, to all applicants and to all other individuals who request it acknowledging that medical transportation is ensured for transportation to and from medical services providers for MA-covered services. MDCH Publication 141, Medicaid Health Care Coverage, may be used to provide written information.

Payment for medical transportation may be authorized only after it has been determined that it is not otherwise available, and then for the least expensive available means suitable to the client's needs.

Medical transportation is available to:

- FIP recipients
- MA recipients
- SSI recipients

* * *

Medical transportation is not available to the following, unless it is to obtain medical evidence; see BAM 815:

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- FIP applicants
- SDA applicants/recipients
- MA applicants
- AMP applicants/recipients (BEN 640)
- FAP applicants/recipients (BEM 230B)
- Clients who have not met their deductible
- Medicare Savings Program only (BEM 165) recipients
- QDWI (BEM 169) recipients
- Recipients limited to emergency MA coverage.

*BAM 825, page 1 of 20
(Emphasis added)*

Here, pursuant to that policy manual, the Department denied Appellant's requests for medical transportation reimbursement after determining that she was ineligible for such reimbursement because she had not met her deductible for the months those requests were made.

In response, Appellant testified that the requested medical transportation to ██████████ was medically necessary as the care she received there was neither routine nor available locally. Appellant also testified that she had no knowledge of any deductible or spend-down.

Appellant has not received any other specific services through Medicaid that would depend on having met her deductible and her testimony that she has no knowledge of any deductible is credible. However, ██████████ testimony that the Department sent Appellant written notice of her deductible and that Appellant has had a deductible at all times relevant to this case is also credible. The evidence from the Department's ██████████ Bridges system also confirms that Appellant has an unmet deductible and the Department cannot approve reimbursement where there is an unmet deductible.

Appellant also testified that her medical transportation had previously been covered by Children's Special Health Care Services prior to her case worker at that program telling her she had to go through DHS/DCH. It is not clear why that program would no longer cover Appellant's medical transportation and the Department's representative advised Appellant to pursue services through that program again. Regardless, this Administrative Law Judge's jurisdiction is limited to reviewing the Department's decision in this case.

Based on the evidence established during the hearing, the Department correctly determined that Appellant was ineligible for travel expenses for medical transportation because she had not met her monthly deductible.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Department properly denied the Appellant's request for medical transportation reimbursement.

IT IS THEREFORE ORDERED THAT:

The Department's decision is **AFFIRMED**.

Steven Kibit

Steven Kibit
Administrative Law Judge
for James K. Haveman, Director
Michigan Department of Community Health

Date Signed: [REDACTED]

Date Mailed: [REDACTED]

SK/db

cc: [REDACTED]

***** NOTICE *****

The Michigan Administrative Hearing System may order a rehearing on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. The Michigan Administrative Hearing System will not order a rehearing on the Department's motion where the final decision or rehearing cannot be implemented within 90 days of the filing of the original request. The Appellant 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 of the rehearing decision.