

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 14-003882  
Issue No.: 2001  
Case No.: [REDACTED]  
Hearing Date: August 14, 2014  
County: ST. CLAIR

**ADMINISTRATIVE LAW JUDGE: Susanne E. Harris**

**HEARING DECISION**

Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99.33; and 45 CFR 205.10. After due notice, a telephone hearing was held on [REDACTED], from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED]. Participants on behalf of the Department of Human Services (Department) included Assistance Payments Supervisor, [REDACTED], and Eligibility Specialist, [REDACTED].

**ISSUE**

Due to excess assets, did the Department properly  determine Claimant's eligibility begin date 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"/> State Emergency Relief (SER)?     |
| <input checked="" type="checkbox"/> Medical Assistance (MA)? |  |

**FINDINGS OF FACT**

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, including the testimony at the hearing, finds as material fact:

1. In September 2013, the Claimant  applied for MA benefits.
2. Due to excess assets, on May 15, 2014, the Department sent the Claimant's Authorized Representative notice that the Claimant was not eligible for MA until March 2014.

3. On May 15, 2014, the Department sent Claimant's Authorized Representative (AR) its decision.
4. On May 23, 2014, Claimant's Authorized Hearing Representative (AHR) filed a hearing request, protesting the Department's actions.

### **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 Emergency Relief Manual (ERM).

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. The Department (formerly known as the Family Independence Agency) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

Bridges Eligibility Manual 400 (2014) sets the asset limit to be eligible for MA at \$2000. In this case, the Claimant's AR was protesting the delay in obtaining information regarding the Claimant's [REDACTED]. The Claimant's AR testified that had the information been provided promptly by the life [REDACTED], the policy could have been surrendered sooner thereby resulting in more eligibility of MA for the Claimant. The Claimant's AR testified on the record that the Department's worker has been nothing but helpful to them and they were not protesting any determination made by the Department. The Administrative Law Judge informed the Claimant's AR that she has no jurisdiction over the [REDACTED], and because the Claimant's AR is not disputing the calculation of the asset limit and eligibility period, the Department's determination will therefore be upheld.

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department acted in accordance with Department policy when it determined the Claimant's asset limit and asset eligibility period for MA.

**DECISION AND ORDER**

Accordingly, the Department's decision is  AFFIRMED.



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Susanne E. Harris  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: **8/20/2014**

Date Mailed: **8/20/2014**

**NOTICE OF APPEAL:** A party may appeal this Hearing Decision in the circuit court in the county in which he/she resides, or the circuit court in Ingham County, within 30 days of the receipt date.

A party may request a rehearing or reconsideration of this Hearing Decision from the Michigan Administrative Hearing System (MAHS) within 30 days of the mailing date of this Hearing Decision, or MAHS may order a rehearing or reconsideration on its own motion.

MAHS may grant a party's Request for Rehearing or Reconsideration when one of the following exists:

- Newly discovered evidence that existed at the time of the original hearing that could affect the outcome of the original hearing decision;
- Misapplication of manual policy or law in the hearing decision which led to a wrong conclusion;
- Typographical, mathematical or other obvious error in the hearing decision that affects the rights of the Claimant;
- Failure of the ALJ to address in the hearing decision relevant issues raised in the hearing request.

The party requesting a rehearing or reconsideration must specify all reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration. A request must be *received* in MAHS within 30 days of the date this Hearing Decision is mailed.

A written request may be faxed or mailed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088 and be labeled as follows:

Attention: MAHS Rehearing/Reconsideration Request

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings  
Reconsideration/Rehearing Request  
P.O. Box 30639  
Lansing, Michigan 48909-07322

SEH/tb

cc:

