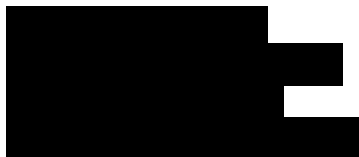


STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 14-011567
Issue No.: 2001
Case No.: [REDACTED]
Hearing Date: December 4, 2014
County: Oakland (3) (Southfield)

ADMINISTRATIVE LAW JUDGE: Darryl Johnson

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 three-way telephone hearing was held on December 4, 2014, from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED]. Participants on behalf of the Department of Human Services (Department) included Hearings Facilitator [REDACTED].

ISSUE

Did the Department properly decline to pay a medical bill for Claimant as part of her Medical Assistance (MA)?

FINDINGS OF FACT

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

1. Following an administrative hearing on January 23, 2014, the Department was ordered to: activate Claimant's MA for Supplemental Security Income (SSI) recipients for January 2010; register her August 1, 2013 application for retroactive MA coverage for October 2009; reprocess her application to determine her financial eligibility for MA for October 2009; and provide her with any MA coverage she was eligible to receive for October 2009.
2. On [REDACTED], [REDACTED] provided the department with a copy of a statement from [REDACTED] showing a [REDACTED] balance. (Exhibit 1 Pages 26-27.)

3. On June 20, 2014, the Department informed Claimant she was not eligible for retroactive MA for October 2009 because she had no medical expenses for that month. (Exhibit 1 Pages 28-29.)
4. On [REDACTED], [REDACTED] provided a revised statement from [REDACTED] showing a balance of \$ [REDACTED] after "charity care adj – adm approval". (Exhibit 1 Page 32.) The balance had been written off on [REDACTED], but then reinstated on [REDACTED].
5. The Department received Claimant's hearing request on September 15, 2014.

CONCLUSIONS OF LAW

Department policies are contained 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.


BAM 115 (1/1/15) and prior iterations states, at page 13, that an MA recipient's eligibility for retroactive MA must be determined on a month-to-month basis. "To be eligible for a retro MA month, the person must: Meet all financial and nonfinancial eligibility factors in that month, and have an unpaid medical expense incurred during the month . . ."

The Claimant's medical bill was written off by the hospital. Three years later, when the hospital was informed that she was eligible for retro MA, they reinstated the balance. There was no outstanding balance when the Department made its determination. Therefore, Claimant had no unpaid medical expense incurred during October 2009.

The Administrative Law Judge, based on 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 denied payment of the balance claimed by [REDACTED] for [REDACTED].

DECISION AND ORDER

Accordingly, the Department's decision is **AFFIRMED**.


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

Date Signed: **12/8/2014**

Date Mailed: **12/8/2014**

DJ/jaf

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 client;
- 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 48909-8139

cc:

