

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:

██████████,

Appellant

_____ /

Docket No. 2014-30752 QHP
Case No. ██████████

DECISION AND ORDER

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

After due notice, a hearing was held on ██████████. The Appellant appeared and offered testimony. ██████████, grievance Coordinator, represented Blue Cross Complete, the Medicaid Health Plan (MHP). Dr. ██████████ appeared as a witness for the MHP.

ISSUE

Did the MHP properly deny Appellant's request a Lifeline medical alert system?

FINDINGS OF FACT

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

1. On ██████████, the Appellant contacted the MHP and inquired about a Lifeline medical alert system. (Exhibit A, p. 1; Testimony)
2. On ██████████, the Appellant contacted the MHP and inquired a second time about a Lifeline medical alert system. (Exhibit A, p. 1; Testimony)
3. On ██████████, the MHP notified the Appellant that the Lifeline medical alert system is not a covered benefit. (Exhibit A, p. 1; Testimony)
4. On ██████████, the Appellant requested a hearing.
5. The MHP reviewed their records and could not find any record of a formal request or prior approval request for a Lifeline medical alert system. (Testimony)

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.

On May 30, 1997, the Michigan Department of Community Health received approval from the Health Care Financing Administration, U.S. Department of Health and Human Services, allowing Michigan to restrict Medicaid beneficiaries' choice to obtain medical services only from specified MHPs.

The Respondent Priority Health is one of those Medicaid Health Plans.

The covered services that the Contractor has available for enrollees must include, at a minimum, the covered services listed below. The Contractor may limit services to those which are medically necessary and appropriate, and which conform to professionally accepted standards of care. The Contractor must operate consistent with all applicable Medicaid provider manuals and publications for coverage's and limitations. If new services are added to the Michigan Medicaid Program, or if services are expanded, eliminated, or otherwise changed, the Contractor must implement the changes consistent with State direction in accordance with the provisions of Contract Section 2.024.

Although the Contractor must provide the full range of covered services listed below they may choose to provide services over and above those specified. The covered services provided to enrollees under this Contract include, but are not limited to, the following:

Article 1.020 Scope of [Services],
at §1.022 E (1) contract, 2013, pp. 22, 23.

During the hearing, it was determined that there was no denial, suspension, reduction, or termination of a Medicaid-covered service in this case. The Michigan Administrative Hearing System only has jurisdiction if there has been a denial, suspension, reduction, or termination of a Medicaid-covered service, therefore lacks jurisdiction to adjudicate the matter.

**Docket No. 2014-30752 QHP
Decision & Order**

IT IS THEREFORE ORDERED that:

The above matter is DISMISSED.

Corey A. Arendt
Administrative Law Judge
for James K. Haveman, Director
Michigan Department of Community Health

CAA 

Date Signed: May 7, 2014

Date Mailed: May 7, 2014

cc: 

***** 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.