

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARINGS SYSTEM
FOR THE DEPARTMENT OF COMMUNITY HEALTH
P.O. Box 30763, Lansing, MI 48909
Phone: (517) 335-2484; Fax: (517) 373-4147

IN THE MATTER OF:

██████████,

Appellant

Docket No.: 14-015577-MHP

Case No.: ██████████

HEARING DECISION AND ORDER

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

After due notice, a hearing was held on ██████████. Appellant appeared and testified. ██████████, Paralegal and Dr. ██████████, Medical Director for ██████████ appeared and testified on behalf of respondent.

ISSUE

Did ██████████ properly deny Appellant's request for bed repair?

FINDINGS OF FACT

1. ██████████ is a Qualified Health Plan (QHP) contracted with the State of Michigan Comprehensive Health Care Program.
2. On ██████████, Appellant was an enrolled member of ██████████ at the time of the request for services and continues to be enrolled.
3. Appellant filed a request for repair of the motor on his bed.
4. On ██████████, ██████████ denied Appellant's request for bed repair stating that the motor appeared to have been replaced a number of times and that they could not replace items that are broken due to misuse or neglect. (Exhibit 3)
5. On ██████████, Appellant filed a request for a hearing to contest the negative action, stating that the bed broke because of normal wear and tear due to the fact that he weighs 650 lbs.
6. On ██████████, ██████████ reversed its decision and sent Appellant a letter stating that his request for repair of the bed motor is approved and Authorization # ██████████ for repair to be completed between ██████████. (Exhibit #6)

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.

In 1997, the Department 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 Medicaid Health Plans. The Respondent is in one of those Medicaid Health Plans and, regarding such plans, the Michigan Medicaid Provider Manual states:

SECTION 1 – GENERAL INFORMATION

The Michigan Department of Community Health (MDCH) contracts with Medicaid Health Plans (MHPs), selected through a competitive bid process, to provide services to Medicaid beneficiaries. The selection process is described in a Request for Proposal (RFP) released by the Office of Purchasing, Michigan Department of Technology, Management & Budget. The MHP contract, referred to in this chapter as the Contract, specifies the beneficiaries to be served, scope of the benefits, and contract provisions with which the MHP must comply. Nothing in this chapter should be construed as requiring MHPs to cover services that are not included in the Contract. A copy of the MHP contract is available on the MDCH website. (Refer to the Directory Appendix for website information.)

In the instant case, United Healthcare reversed its original denial of the bed repair and authorized the repair of the bed motor for Appellant.

Given that the issue has been resolved, it is determined that ██████████'s determination to allow the bed motor repair and reverse the denial for the repairs must be upheld.

[REDACTED]
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DECISION AND ORDER

Based on the above findings of fact and conclusions of law, the Administrative Law Judge finds that the issue of whether or not it was proper for [REDACTED] to deny Appellant's request for bed repair is resolved by the reversal of the denial and authorization for bed motor repair.

IT IS HEREBY ORDERED:

Accordingly, Priority Health's determination to authorize bed repair and reverse the denial is AFFIRMED.

Landis Y. Lain

Landis Y. Lain
Administrative Law Judge
for Nick Lyon, Director
Michigan Department of Community Health

cc: [REDACTED]

LYL [REDACTED]

Date Signed: [REDACTED]

Date Mailed: [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.