

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 14-015847
Issue No.: 2001
Case No.: [REDACTED]
Hearing Date: March 30, 2015
County: OAKLAND-DISTRICT 3
(SOUTHFIELD)

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

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, an in person hearing was held on March 30, 2015, from Southfield, Michigan. Participants on behalf of Claimant included the Claimant and his Authorized Hearing Representatives, [REDACTED] Participants on behalf of the Department of Human Services (Department) included [REDACTED] [REDACTED] Hearing Facilitator and Eligibility Specialist.

ISSUE

Did the Department properly close the Claimant's SSI benefits when the Claimant became eligible for RSDI?

FINDINGS OF FACT

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

1. On October 21, 2014 the Department sent the Claimant a Health Care Determination Notice advising the Claimant that he was no longer eligible for Medicaid. The Notes/Comment from the Specialist requested that Claimant reapply for Medicaid. Exhibit 2. At the hearing the Department indicated that the case closure was due to Claimant no longer being eligible for SSI, which makes an individual automatically eligible for Medicaid, but instead required an application because for RSDI the eligibility including income and assets were required to be

reported by the applicant and reviewed by the Department when making eligibility determinations.

2. Thereafter the Claimant applied several times and ultimately the application for Medical Assistance was processed and a Health Determination Notice dated December 11, 2014 was issued indicating that the Claimant was eligible for Medicaid ongoing from December 1, 2014. Exhibit 1.
3. The Claimant requested a timely hearing on October 29, 2014 protesting the Department's actions.

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.

Additionally, in this case the evidence presented demonstrated that after the MA application was processed the Claimant was once again eligible for Medicaid with no lapse in coverage. The Claimant was deemed eligible for full Medicaid effective December 1, 2014. The Notice was confusing as it indicated that the Claimant was ineligible as he was eligible in another program. The Notice did not explain that the "other program was SSI" which the Notice advised would not end until December 1, 2014. Unfortunately, because the reason for closure was not clearly explained, the Claimant's change from SSI eligibility to RSDI eligibility caused confusion for the Claimant's Authorized Hearing Representatives. Notwithstanding the confusion, the Department did maintain continuous coverage for Medicaid without lapse in coverage and properly closed the Medicaid based on SSI ending. This being the case there is nothing further remaining to be determined or decided.

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 they processed the closure of Medicaid and requested that Claimant reapply for Medicaid due to receipt of RSDI.

DECISION AND ORDER

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



Lynn M. Ferris

Administrative Law Judge
for Nick Lyon, Interim Director
Department of Human Services

Date Signed: **4/01/2015**

Date Mailed: **4/01/2015**

LMF / cl

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:



A series of approximately ten horizontal black bars of varying lengths, representing a redacted list of email addresses or names under the 'CC:' label.