

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

IN THE MATTER OF:



**Reg. No. 15-019707
Issue No. 2001
Case No. [REDACTED]
Hearing Date: January 20, 2016
County DHS: Montcalm**

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the claimant's request for a hearing. After due notice, a telephone hearing was held on January 20, 2016. The claimant personally appeared and testified. [REDACTED], Lead Worker, appeared and testified on behalf of the Department of Health and Human Services (DHHS or Department).

ISSUE

Did the Department properly close claimant's Medical Assistance (MA) case?

FINDINGS OF FACT

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

1. Claimant had an open MA case.
2. Claimant's case was scheduled for redetermination.
3. On February 25, 2015, Appellant returned the DHS-1010 Medicaid Redetermination in a timely manner.
4. Claimant's MA case was scheduled for closure effective March 1, 2015.
5. The Department caseworker did not process claimant's redetermination application.
6. On March 1, 2015, claimant's MA case closed.
7. On July 22, 2015, claimant re-applied for MA.

8. On September 22, 2015, the caseworker attempted to process the application and learned that claimant's re-determination application had not been processed.
9. The caseworker withdrew the July 22, 2015 application and attempted to process the February redetermination application.
10. The caseworker encountered a systems issue and could not process the application.
11. The caseworker contacted the Bridges Resource Center for resolution (ticket).
12. On October 13, 2015 the department received a request for a hearing to contest the negative action.
13. The Bridges System ticket is still not resolved.
14. The Department representative conceded at the hearing that the case was closed in error and that she the case should be reinstated to the March 1, 2015 MA closure date, as the case was closed without issuance of a negative action letter and in error.

CONCLUSIONS OF LAW

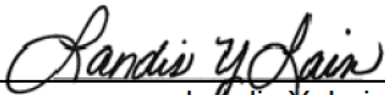
The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or department) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

The department's representative conceded on the record that the claimant's MA case closed in error. The Department representative agreed to reinstate the MA case from March 1, 2015 forward.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the decision to close the Medical Assistance case was in error and cannot be upheld.

Accordingly, the Department's decision is **REVERSED**. The Department is ORDERED to reinstate claimant's Medical Assistance case, if he is otherwise eligible, from March 1, 2015 forward.




Landis Y. Lain
Administrative Law Judge
For Nick Lyon, Director
Department of Health and Human Services

Date Signed: 01/26/2016

Date Mailed: 01/28/2016

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

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