



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Christopher Seppanen
Executive Director

MIKE ZIMMER
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: April 12, 2016
MAHS Docket No.: 16-002312

[REDACTED]
[REDACTED]

ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie

HEARING DECISION

Following Petitioner'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; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on April 7, 2015, from Lansing, Michigan. The Petitioner was represented by herself. The Department of Health and Human Services (Department) was represented by [REDACTED], Eligibility Specialist and [REDACTED], Assisted Payment Specialist.

ISSUE

Did the Department properly determine that the Petitioner was not eligible for Medical Assistance (MA) benefits because she failed to submit the required verification?

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 January 25, 2016, the Petitioner applied health care through the Marketplace. Department Exhibit 1-9.
2. On January 26, 2016, the Department sent the Petitioner a Verification Checklist, DHS 3503, to provide verification of the last 30 days of income that was due February 5, 2016. Department Exhibit 11.
3. On February 10, 2016, the Department received a hearing request, contesting the Department's negative action. However, there had been no negative action taken on the Petitioner's application. There had been phone calls between the Petitioner

and her Department Caseworker about the income verification required to determine MA eligibility.

4. On March 7, 2016, the Department sent the Petitioner a Denial Notice, DHS 1606, because the Petitioner failed to submit the income verification by the due date and she was entitled to reapply. Department Exhibit 13-14.

CONCLUSIONS OF LAW

Department policies are contained in the Department of Health and Human Services Bridges Administrative Manual (BAM), Department of Health and Human Services Bridges Eligibility Manual (BEM), Department of Health and Human Services Reference Tables Manual (RFT), and Department of Health and 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 Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

In this case, On January 25, 2016, the Petitioner applied health care through the Marketplace. Department Exhibit 1-9. On January 26, 2016, the Department sent the Petitioner a Verification Checklist, DHS 3503, to provide verification of the last 30 days of income that was due February 5, 2016. Department Exhibit 11. On February 10, 2016, the Department received a hearing request, contesting the Department's negative action. However, there had been no negative action taken on the Petitioner's application. There had been phone calls between the Petitioner and her Department Caseworker about the income verification required to determine MA eligibility. On March 7, 2016, the Department sent the Petitioner a Denial Notice, DHS 1606, because the Petitioner failed to submit the income verification by the due date and she was entitled to reapply. Department Exhibit 13-14. BAM 115 and 402.

During the hearing, the Petitioner stated that she had questions about the income verifications required. She and the Department Caseworker exchanged several phone calls. However, the Petitioner did not submit any income verification by the due date. The Department Caseworker left the case open pass the February 5, 2016. However, the Department Caseworker had to close the case on March 7, 2016 due to the standards of promptness because the required income verifications were not received.

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 the Petitioner's application for MA because she failed to submit the required income verification.

