



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM

SHELLY EDGERTON  
DIRECTOR

[REDACTED]

Date Mailed: November 2, 2017  
MAHS Docket No.: 17-009121  
Agency No.: [REDACTED]  
Petitioner: [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; 42 CFR 438.400 to 438.424; 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 September 13, 2017, from [REDACTED] Michigan. The Petitioner was represented by herself. The Department of Health and Human Services (Department) was represented by [REDACTED] Hearing Facilitator and [REDACTED] Eligibility Specialist.

**ISSUE**

Did the Department properly close the Petitioner's Medical Assistance (MA) Healthy Michigan Program (HMP) case because she failed to submit the required Wage Match Client Notice, DHS 4638, by the due date?

**FINDINGS OF FACT**

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

1. The Petitioner was a recipient of MA.
2. On February 1, 2017, the Department sent the Petitioner a Wage Match Client Notice, DHS 4638, with a due date of March 3, 2017. Department Exhibit 1, pgs. 3-4.
3. On June 13, 2017, the Department sent the Petitioner a Health Care Coverage Determination Notice, DHS 1606, because she failed to return the Wage Match Client Notice, DHS 4638, with a due date of March 3, 2017. As a result, the

Department could not determine her continued eligibility for MA and her case would close effective July 1, 2017. Department Exhibit 1, pgs. 5-6.

4. On July 6, 2017, the Department received a hearing request from the Petitioner, contesting the Department's negative action.

### **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, the Petitioner was a recipient of MA HMP. On February 1, 2017, the Department sent the Petitioner a Wage Match Client Notice, DHS 4638, with a due date of March 3, 2017. Department Exhibit 1, pgs. 3-4. On June 13, 2017, the Department sent the Petitioner a Health Care Coverage Determination Notice, DHS 1606, because she failed to return the Wage Match Client Notice, DHS 4638, with a due date of March 3, 2017. As a result, the Department could not determine her continued eligibility for MA and her case would close effective July 1, 2017. Department Exhibit 1, pgs. 5-6.

On July 6, 2017, the Department received a hearing request from the Petitioner, contesting the Department's negative action. BAM 130, 220, and 802. BEM 137, 501, and 503.

During the hearing, the Department Caseworker stated that the Petitioner's HMP case was closed because she did not submit the Wage Match Client Notice, DHS 4638, that was due date on March 3, 2017. She was not sent a notice of case closure until June 13, 2017, but her case was not closed until July 1, 2017. The Petitioner could have submitted the required verification until June 30, 2017, but did not.

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 closed the Petitioner's HMP case because she failed to submit her Wage Match Client Notice, DHS 4638, by the due date.

**DECISION AND ORDER**

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

*Carmen G. Fahie*

CF/nr

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Carmen G. Fahie  
Administrative Law Judge  
for Nick Lyon, Director  
Department of Health and Human Services

**NOTICE OF APPEAL**: A party may appeal this Order in circuit court within 30 days of the receipt date. A copy of the circuit court appeal must be filed with the Michigan Administrative Hearing System (MAHS).

A party may request a rehearing or reconsideration of this Order if the request is received by MAHS within 30 days of the date the Order was issued. The party requesting a rehearing or reconsideration must provide the specific reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088; 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

**DHHS**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

**Petitioner**

[REDACTED]