



RICK SNYDER
GOVERNOR

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

SHELLY EDGERTON
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: March 26, 2018
MAHS Docket No.: 18-000100
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

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 February 28, 2018, from Detroit, Michigan. The Petitioner was represented by herself. The Department of Health and Human Services (Department) was represented by [REDACTED], Hearing Facilitator.

ISSUE

Did the Department properly reinstate the Petitioner's Medical Assistance benefits and establish ongoing eligibility?

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 Department closed the Petitioner's medical assistance for failure to provide verification regarding her income by Health Care Notice dated November 29, 2017 closing her Medical assistance effective November 1, 2017. Exhibit 4A.
2. The Department received proof of income on January 30, 2018 and the Department issued a Health Care Notice
3. The department issued a Health Care Coverage Determination Notice on February 2, 2018 approving the Petitioner for full coverage MA effective September 1, 2017, and for the remaining MA group members, [REDACTED], November 1, 2017; and [REDACTED] November 1, 2017. Exhibit 5 and Exhibit 6.

4. The Eligibility Summary presented for each of the MA group members, including Petitioner, established ongoing medical assistance. Exhibit 6.
5. The Department reinstated the Petitioner's MA effective September 1, 2017 ongoing. Exhibit 5.
6. The Petitioner requested a hearing on January 2, 2017 protesting the closure of her Medical Assistance.

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 requested a hearing regarding the closure of her medical assistance due to failure to provide information sufficient for the Department to verify income. The Department received a redetermination on November 17, 2017 which did not adequately verify income information. Based upon the redetermination, the Department was unable to verify income. This has been an ongoing problem with the Petitioner. Finally, the Petitioner was able to sufficiently verify income information received by the Department on January 10, 2018 including several self-employment income documents (DHS 431) and certified the Petitioner as eligible issuing a Health Care Coverage Determination Notice on February 7, 2018, finding the Petitioner eligible as of September 1, 2017 and her two children [REDACTED] and [REDACTED] eligible effective November 1, 2017 ongoing.

Apparently, the Petitioner seeks a hearing because there are outstanding medical bills which are not paid by Medicaid and thus she believes the Department did not find her eligible. At the hearing the Department testified that it also searched the Chaps system that demonstrated ongoing medical coverage since 2011. However, based upon the Health Care Coverage Determination Notice dated February 7, 2018 and the eligibility summaries provided, the Department has established ongoing eligibility for Petitioner from November 1, 2017 through the present ongoing, and eligibility for her two children

████ and █████, ongoing effective November 1, 2017. Exhibits 5 and 6. The Petitioner's husband and her child, █████ receive █████ and thus are automatically eligible for █████ Exhibit 6. It should also be noted that while the Department may have delayed reinstating the case while awaiting proof of income, the evidence does establish that the medical assistance case was reinstated November 2017 ongoing with uninterrupted Medical Assistance Coverage. The Petitioner is urged to request that the Providers of medical services whose bills are outstanding resubmit the bills for payment.

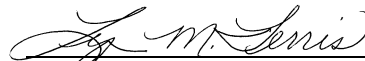
The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department acted in accordance with Department policy when it reinstated the Petitioner's Medicaid.

DECISION AND ORDER

Accordingly, the Department's decision is

AFFIRMED.

LF/tm



Lynn M. Ferris

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]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] [REDACTED]
[REDACTED]