



RICK SNYDER
GOVERNOR

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

SHELLY EDGERTON
DIRECTOR

[REDACTED] MI [REDACTED]

Date Mailed: August 27, 2018
MAHS Docket No.: 18-006162
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Vicki Armstrong

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 August 2, 2018, from Lansing, Michigan. Petitioner personally appeared and testified. Petitioner submitted 8 exhibits which were admitted into evidence.

The Department of Health and Human Services (Department) was represented by Hearing Facilitator Christine Brown. Ms. Brown testified on behalf of the Department. The Department submitted 33 exhibits which were admitted into evidence. The record was closed at the conclusion of the hearing.

ISSUE

Did the Department properly close Petitioner's Medicaid benefits?

FINDINGS OF FACT

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

1. On August 21, 2017, the Department mailed Petitioner a Health Care Coverage Notice indicating Petitioner was not eligible for Medicaid from October 1, 2017 ongoing for failing to verify the requested information. [Dept. Exh. 14-16].
2. On February 15, 2018, the Department sent Petitioner a Health Care Coverage Determination Notice, informing Petitioner he was eligible for full Medicaid from April 1, 2017 through February 28, 2018. [Dept. Exh. 9-13].

3. On March 1, 2018, the Department issued Petitioner a Health Care Coverage Notice informing him that as of April 1, 2018, Petitioner was not eligible for Medicaid because he was not under the age of 19, pregnant, aged, blind or disabled. [Dept. Exh. 22-25].
4. On March 15, 2018, the Department mailed Petitioner a Health Care Coverage Determination Notice, informing him that he was not eligible for Medicaid beginning April 1, 2018 ongoing. [Dept. Exh. 5-8]
5. On June 13, 2018, Petitioner submitted a Request for Hearing, contesting the lack of Medicaid for the period of March 1, 2018 through March 31, 2018. [Dept. Exh. 2-4].

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.

As an initial matter, Petitioner is not contesting the closure of his Medicaid benefits. He is requesting coverage for the full month of March 2018. He does not understand why the Department has not addressed the month of March 2018 in their Health Care Coverage Determination Notices.

In summary, the Department issued a Health Care Coverage Notice on August 21, 2017, indicating Petitioner was not eligible for Medicaid from October 1, 2017 ongoing. On February 15, 2018, the Department sent Petitioner a Health Care Coverage Determination Notice, informing Petitioner he was eligible for full Medicaid from April 1, 2017 through February 28, 2018. Then on March 15, 2018, the Department mailed Petitioner a Health Care Coverage Determination Notice, informing him that he was not eligible for Medicaid beginning April 1, 2018 ongoing

In this case, Petitioner was only approved for full Medicaid from April 1, 2017 through February 28, 2018. After February 28, 2018, Petitioner was not approved for further Medicaid.

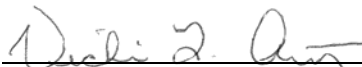
Petitioner is not contesting the denial of Medicaid, but still wants coverage for March 1, 2018 through March 31, 2018. There is no evidence Petitioner was ever eligible for Medicaid for the month of March 2018, since the only approval for Medicaid was from April 1, 2017 through February 28, 2018. Therefore, there is no issue for this Administrative Law Judge to decide.

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 Petitioner's Medicaid benefits.

DECISION AND ORDER

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

VLA/nr



Vicki Armstrong
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) 763-0155; 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

Randa Chenault
25620 W. 8 Mile Rd
Southfield, MI
48033

Oakland 3 County DHHS- via electronic
mail

BSC4- via electronic mail

D. Smith- via electronic mail

EQAD- via electronic mail

Petitioner

[REDACTED]
MI