



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ORLENE HAWKS
DIRECTOR

[REDACTED]

Date Mailed: October 4, 2019
MOAHR Docket No.: 19-006494
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Vicki L. 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 September 5, 2019, from Lansing, Michigan. Petitioner personally appeared and testified. The Department of Health and Human Services (Department) was represented by Eligibility Specialist, Brad Reno.

ISSUE

Did the Department properly reinstate Petitioner's Medicaid benefits after the Department's computer program, Bridges, erred in denying Medicaid benefits?

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 [REDACTED], 2019, Petitioner applied for Medicaid benefits. [Dept. Exh. 11-24].
2. On June 7, 2019, the Department's computer program, BRIDGES, triggered an asset detection that was not correctly cleared, resulting in an incorrect termination of Petitioner's Medicaid benefits effective July 1, 2019. [Dept. Exh. 3].
3. On June 7, 2019, the Department mailed Petitioner a Health Care Coverage Determination Notice informing Petitioner that he was no longer eligible for health care coverage effective July 1, 2019, based on his annual income of \$16,200.00. [Dept. Exh. 7-10].

4. On June 11, 2019, the Department mailed Petitioner a Health Care Coverage Determination Notice informing Petitioner that he was approved for Medicaid with a \$922.00 monthly deductible. [Dept. Exh. 25-28].
5. On June 12, 2019, Petitioner submitted a hearing request to appeal the Department's action of June 7, 2019. [Dept. Exh. 5].

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, Petitioner submitted a request for hearing indicating he was contesting the Department's decision of June 7, 2019. Petitioner then submitted 73 exhibits to the Michigan Office of Administrative Hearings and Rules prior to the September 5, 2019, hearing in the above-captioned matter. Petitioner's 73 exhibits were admitted into evidence. The letter on page 1 of Petitioner's exhibits indicated his exhibits were about medical bills in collection and the status of his medical coverage.

As discussed in the hearing, the only matter at issue was whether the Department properly determined his Medicaid benefits on June 7, 2019. The Department credibly admitted to the error in initially denying Petitioner Medicaid benefits, and the same day correcting it, so that there never was an interruption in Petitioner's coverage.

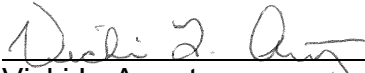
Petitioner was focused on his previous medical bills in collection. That matter was not before this tribunal and was not heard.

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department did act in accordance with Department policy when it reinstated Petitioner's Medicaid benefits after it was incorrectly closed without a loss of coverage to Petitioner.

DECISION AND ORDER

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

VLA/nr



Vicki L. Armstrong
Administrative Law Judge
for Robert Gordon, 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 Office of Administrative Hearings and Rules (MOAHR).

A party may request a rehearing or reconsideration of this Order if the request is received by MOAHR 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. MOAHR will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MOAHR. If submitted by fax, the written request must be faxed to (517) 763-0155; Attention: MOAHR Rehearing/Reconsideration Request.

If submitted by mail, the written request must be addressed as follows:

Michigan Office of Administrative Hearings and Rules
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-8139

DHHS

Tamara Morris
125 E. Union St 7th Floor
Flint, MI
48502

Genesee Union St. County DHHS- via
electronic mail

BSC2- via electronic mail

D. Smith- via electronic mail

EQAD- via electronic mail

Petitioner

