



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
SUZANNE SONNEBORN  
EXECUTIVE DIRECTOR

MARLON I. BROWN, DPA  
DIRECTOR

[REDACTED], MI [REDACTED]

Date Mailed: July 19, 2024  
MOAHR Docket No.: 24-005209  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Christian Gardocki**

### **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 hearing was held via telephone conference on June 20, 2024. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Cristina Finley, specialist, and Corlette Brown, hearings facilitator.

### **ISSUE**

The issue is whether MDHHS properly processed medical expenses towards Petitioner's Medicaid deductible.

### **FINDINGS OF FACT**

The administrative law judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of January 2024, Petitioner was eligible for Medicaid subject to a monthly deductible of \$1,188.
2. In February 2024, Petitioner submitted to MDHHS documents verifying medical expenses totaling \$1,157.26 for that month.
3. On April 30, 2024, Petitioner requested a hearing to dispute allegedly unprocessed medical expenses concerning the benefit months of February through May 2024.

4. On May 9, 2024, MDHHS approved Petitioner for Medicaid benefits in March, April, and May 2024.
5. On an unspecified date, MDHHS approved Petitioner for MA benefits beginning June 2024.
6. As of June 20, 2024, MDHHS did not issue Medicaid to Petitioner for February 2024 because Petitioner failed to submit expenses equaling or exceeding the deductible amount.

### **CONCLUSIONS OF LAW**

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

Petitioner requested a hearing to dispute Medicaid eligibility. Exhibit A, pp. 3-4. MDHHS testified it determined on March 8, 2024 that Petitioner was eligible for the limited coverage of Plan First. Petitioner did not seem to dispute her limited coverage for Medicaid; instead, she disputed whether MDHHS properly applied medical expenses towards a deductible.<sup>1</sup> Petitioner specifically disputed the benefit months from February through May 2024.

During the hearing, MDHHS credibly testified that a notice dated May 9, 2024, awarded Medicaid to Petitioner from March through May 2024. MDHHS additionally testified that Petitioner was subsequently approved for Medicaid for June 2024. The evidence established that Petitioner's dispute over MA eligibility beginning March 2024 was resolved. Concerning Medicaid benefits beginning March 2024, Petitioner's dispute will be dismissed, and the analysis will continue to evaluate Petitioner's MA eligibility for February 2024.

For clients with deductibles, income eligibility exists for the calendar month tested when there is no excess income or allowable medical expenses that equal or exceed the excess income. BEM 545 (July 2022) p. 1. Medicaid eligibility exists for the entire month for deductible clients with bills for personal care services performed in the client's home, hospitalization, long-term care, and/or old bills.<sup>2</sup> *Id.* For other medical expenses, Medicaid eligibility begins the exact day of the month the allowable expenses exceed

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<sup>1</sup> Petitioner testified she wanted to dispute MA eligibility beginning June 2022. Petitioner's testimony was not accepted as a basis for the hearing dispute because it was not stated within her hearing request.

<sup>2</sup> Clients may still be responsible for payment of the deductible.

the excess income. *Id.* If medical expenses are less than the excess income (i.e., the deductible), income eligibility does not exist for this month.

It was not disputed that Petitioner had a Medicaid deductible of \$1,188 in February 2024. MDHHS testified that Petitioner submitted documentation on February 20, 2024, claiming medical expenses in February of \$1,120 for chores service and \$36.01 for other medical expenses. MDHHS also testified that Petitioner submitted a \$1.25 receipt for a prescription on February 26, 2024. Based on MDHHS testimony, Petitioner's medical expenses for February 2024 totaled \$1,157.26: less than the amount of Petitioner's deductible.

Petitioner testified she thought she submitted medical expenses exceeding her deductible amount; however, Petitioner provided little details. Petitioner could not state when she submitted to MDHHS expenses for February 2024. Also, Petitioner could not state the amount of medical expenses submitted. Petitioner eventually acknowledged that she was unsure if she met her deductible, though she thought that she did. Petitioner's testimony was insufficient evidence to verify meeting her Medicaid deductible. Given the evidence, MDHHS properly did not issue Medicaid to Petitioner for February 2024 because Petitioner failed to establish that she submitted proof of medical expenses meeting her deductible amount.

### **DECISION AND ORDER**

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS favorably resolved Petitioner's dispute over MA benefits from March 2024 ongoing. Concerning Petitioner's MA benefits beginning March 2024, Petitioner's hearing request is **DISMISSED**.

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly determined Petitioner did not meet her Medicaid deductible for February 2024. Concerning Petitioner's MA benefits for February 2024, the actions taken by MDHHS are **AFFIRMED**.

CG/nr

  
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**Christian Gardocki**  
Administrative Law Judge

**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

**Via-Electronic Mail :**

**DHHS**

Keisha Koger-Roper  
Wayne-District 31 (Grandmont)  
17455 Grand River  
Detroit, MI 48227

**MDHHS-Wayne-31-Grandmont-Hearings@Michigan.gov**

**Interested Parties**

BSC4  
M. Schaefer  
EQAD  
MOAHR

**Via-First Class Mail :**

**Petitioner**

[REDACTED]  
[REDACTED], MI [REDACTED]