



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

██████████  
██████████  
██████████ MI ██████████

Date Mailed: March 28, 2024  
MOAHR Docket No.: 24-000655  
Agency No.: ██████████  
Petitioner: ██████████

**ADMINISTRATIVE LAW JUDGE: Aaron McClintic**

### **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 27, 2024, from Lansing, Michigan. The Petitioner was represented by her husband and household member ██████████. The Department of Health and Human Services (Department) was represented by Shavonne Ray Eligibility Specialist. Department Exhibit 1, pp. 1-27 was received and admitted.

### **ISSUE**

Did the Department properly determine Petitioner's Medical Assistance (MA) eligibility and deductible amount?

### **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 August 9, 2023, Petitioner received redetermination paperwork for household member ██████████.
2. In November 2023, MI Child for ██████████ closed due to a failure to pay the premium.
3. MI Child for ██████████ was reinstated in November 2023.
4. On December 19, 2023, a Health Care Coverage Determination Notice was sent to Petitioner informing him that ██████████ has MA with a deductible amount of

\$3,101 for December 2023 and \$4,978 for January 2024 and ongoing. (Ex. 1, pp. 18-21)

5. After updated income information, the deductible amount for [REDACTED] was reduced to \$4,004 effective February 1, 2024. (Ex. 1, p.27)
6. On January 13, 2024, Petitioner requested a hearing disputing the changes to [REDACTED] MA benefit.

### **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.

#### **DEDUCTIBLE**

Deductible is a process which allows a client with excess income to become eligible for Group 2 MA if sufficient allowable medical expenses are incurred. Active Deductible Open an MA case without ongoing Group 2 MA coverage on Bridges as long as:

- The fiscal group has excess income, and
- At least one fiscal group member meets all other Group 2 MA eligibility factors. Such cases are called active deductible cases. Periods of MA coverage are added each time the group meets its deductible. BEM 545


With regard to the deductible amount calculation, the father's prorated income is [REDACTED]. The father and child's share of father's income is [REDACTED]. The couple's share of each other's income is [REDACTED]. The total amount of net income is [REDACTED]. After deducting the \$567 protected income level that leaves \$4,004, which is the deductible amount. (Ex. 1, p.27) This was the deductible amount determined by the Department and it was proper and correct and consistent with Department policy. BEM 545

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 determined [REDACTED] MA benefit and deductible amount.

**DECISION AND ORDER**

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

AM/cc

  
\_\_\_\_\_  
**Aaron McClintic**  
Administrative Law Judge

