



GRETCHEN WHITMER  
GOVERNOR

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

MARLON BROWN  
DIRECTOR

[REDACTED]  
[REDACTED]  
MI [REDACTED]

Date Mailed: May 29, 2024  
MOAHR Docket No.: 24-003173  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Alice C. Elkin**

### **HEARING DECISION**

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge (ALJ) 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 May 2, 2024. Petitioner [REDACTED] appeared and was self-represented. [REDACTED], Petitioner's mother, appeared as Petitioner's witness. The Department of Health and Human Services (Department) was represented by Shayla Coleman, Hearings Facilitator and Eligibility Specialist. The hearing was held by ALJ Amanda Marler. Because ALJ Marler is unavailable, pursuant to Mich Admin Code, R 792.10106(7), the undersigned has reviewed the record and issued this Hearing Decision.

At the hearing, the Department's hearing packet, pages 1 through 20, was admitted into evidence as Exhibit A.

### **ISSUE**

Did the Department properly close Petitioner's Medicaid (MA) case?

### **FINDINGS OF FACT**

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

1. Petitioner was an ongoing recipient of MA.
2. On January 4, 2024, the Department sent Petitioner a redetermination form it required Petitioner to complete and return to the Department by February 5, 2024 so it could assess Petitioner's ongoing MA eligibility. (Exhibit A, pp. 7-14)
3. The Department did not receive a completed redetermination.

4. On March 18, 2024, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) notifying him that his MA case was closing effective April 1, 2024 for failure to return a completed redetermination. (Exhibit A, pp. 18-20)
5. On March 27, 2024, the Department received Petitioner's request for hearing disputing the closure of his MA case. (Exhibit A, pp. 3-4)

### **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.

In connection with Petitioner's MA redetermination, the Department closed Petitioner's MA case effective April 1, 2024 because Petitioner failed to submit a completed redetermination.

A complete redetermination/renewal is requested at least every 12 months to determine a client's ongoing eligibility for MA benefits. BAM 210, p. 3. Under 42 CFR 435.916(a)(2) and (b), and consistent with §§ 435.948, 435.949, and 435.956, as well as BAM 800 (April 2022), pp. 2-5, the Department can renew MA eligibility using electronic resources/databases available to it. If information provided to the Department by or on behalf of an MA applicant or recipient is reasonably compatible with information obtained by the Department through electronic data exchange services, the Department must determine or renew eligibility based on such information. 42 CFR 435.952(b); BAM 210 (October 2022), p. 1.

If information needed by the Department to determine eligibility cannot be obtained electronically or if the information obtained electronically is not reasonably compatible with information provided by or on behalf of the individual, then the Department may not deny or terminate eligibility or reduce benefits for the individual unless it first seeks additional information from the individual. 42 CFR 435.952(c) and (d). The Department may request from the Medicaid applicant or recipient only information that has changed or is missing. BAM 210, p. 2. If a renewal is required but not completed and, as a result,

a new benefit period is not certified, MA benefits stop at the end of the benefit period. BAM 210, p. 4.

In this case, the Department sent Petitioner a prepopulated redetermination form on January 4, 2024, asking that Petitioner return the completed form to the Department by February 5, 2024. (Exhibit A, pp. 9-15). The Department closed Petitioner's MA case effective April 1, 2024 because it did not receive a completed redetermination. At the hearing, Petitioner's mother testified that she received and completed the redetermination form and put it in the mail to send to the Department. The Department denied receiving the completed redetermination form and presented an electronic case file for Petitioner's case that showed that no completed redetermination had been received. The Department also testified that it had attempted to contact Petitioner following its receipt of the hearing request to explain the basis for the MA case closure.

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 MA case when it did not receive the completed redetermination. Petitioner is advised to promptly reapply.

**DECISION AND ORDER**

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

ACE/cc



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**Alice C. Elkin**

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 :**

**Interested Parties**

MDHHS-Wayne-18-Hearings  
BSC4-HearingDecisions  
EQADHearings  
M. Schaefer  
MOAHR

**Via-First Class Mail :**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]