



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: June 11, 2024  
MOAHR Docket No.: 24-003894  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**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 May 14, 2024, from Lansing, Michigan. The Petitioner was represented by herself. The Department of Health and Human Services (Department) was represented by Sarah Estes Hearing Facilitator. Department Exhibit 1, pp. 1-22 was received and admitted.

### **ISSUE**

Did the Department properly close Petitioner's Medical Assistance Healthy Michigan Plan (MA-HMP) case due to excess income?

### **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 March 5, 2024, Petitioner submitted redetermination paperwork.
2. On March 12, 2024, a Health Care Coverage Determination Notice was sent to Petitioner informing her that her MA-HMP was closing due to excess income.
3. On March 27, 2024, Petitioner requested a hearing disputing the closure of MA-HMP.
4. Petitioner earned \$ [REDACTED] in employment income in 2023.
5. Petitioner had earned \$ [REDACTED] in employment income in 2024 as of April 15, 2024. (Ex. 1, pp. 10-16)

## **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.

### **Medicaid (MA) Only**

The Flint Water Group is a MAGI-related MA category. Flint Water Group coverage is available to any individual under the age of 21, pregnant women, and children born to pregnant women who have been served by the Flint water system from April 2014 to the time the water is deemed safe by the proper authorities. BEM 148

### **Targeted Population**

The Healthy Michigan Plan (HMP) provides health care coverage for individuals who:

- Are 19-64 years of age.
- Do not qualify for or are not enrolled in Medicare.
- Do not qualify for or are not enrolled in other Medicaid programs.
- Are not pregnant at the time of application.
- Meet Michigan residency requirements.
- Meet Medicaid citizenship requirements.
- Have income at or below 133 percent Federal Poverty Level (FPL). BEM 137

In this case, Petitioner was receiving MA-HMP. In March 2024, Petitioner's eligibility for MA-HMP was reviewed. As of April 15, 2024, Petitioner had earned \$██████████. Averaged over 4 months that averages to \$██████████ per month and \$██████████ per year. Also, in calendar year 2023, Petitioner earned \$██████████ in employment income. The annual income limit for HMP for a group size of 3 is \$33,063.80. BEM 137 Therefore, Petitioner is over the income limit for HMP.

Petitioner's children receive Flint Water Group Medicaid. Petitioner is not eligible for Flint Water Group Medicaid because she is over the age of 21 and not pregnant. BEM 148

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-HMP case due to excess income.

**DECISION AND ORDER**

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

AM/cc



---

**Aaron McClintic**  
Administrative Law Judge

