



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

Date Mailed: January 16, 2025
MOAHR Docket No.: 24-012557
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Caralyce M. Lassner

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 by teleconference on December 18, 2024 and the parties participated jointly by Microsoft Teams from the Michigan Department of Health and Human Services (Department) local office. Petitioner appeared and represented herself. The Department was represented by Priya Johnson, Assistance Payments Supervisor.

ISSUE

Did the Department properly close Petitioner's Medicaid (MA) case effective November 1, 2024 for failure to return requested verifications?

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 AD-Care MA coverage.
2. On August 14, 2024, the Department received a completed redetermination application for MA from Petitioner.
3. On August 20, 2024, the Department sent Petitioner a Verification Checklist (VCL) that requested Petitioner provide an account statement for a specific account with Fifth Third Bank (Bank1), and verification of loss of employment from [REDACTED] [REDACTED] (Employer) to the Department by August 30, 2024.

4. Petitioner provided the requested verifications in response to the August 20, 2024 VCL.
5. On September 18, 2024, the Department sent Petitioner a second VCL that requested Petitioner provide a current statement for her checking and savings accounts or a completed Verification of Assets (DHS 20) to the Department by September 30, 2024. (Exhibit A, pp. 7 – 8).
6. Petitioner did not return the requested verification in response to the September 18, 2024 VCL.
7. On October 18, 2024, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) that denied Petitioner MA effective November 1, 2024 ongoing for failure to return requested verifications. (Exhibit A, pp. 9 – 10).
8. On November 8, 2024, the Department received a request for hearing from Petitioner to dispute the closure of her MA case. Petitioner included correspondence from Citizens Bank (Bank2) that confirmed Petitioner was an account holder. (Exhibit A, pp. 3 – 6, 12).

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.

Petitioner requested a hearing to dispute closure of her MA case effective November 1, 2024. The Department closed Petitioner's MA case for failure to return requested verifications.

The Department must complete a full review of a client's eligibility for MA annually, including verification of assets if required. BAM 210 (October 2024), p. 1; BEM 400 (October 2024), pp. 1, 3. For full coverage AD-Care MA and other SSI-related MA, the Department must verify assets, including bank accounts, investments and retirement plans when determining eligibility. BEM 163 (July 2017), p. 2; BEM 166 (April 2017), p. 2; BEM 400, pp. 3, 6. The asset limit for AD-Care MA and Group 2 SSI-related (G2S)

MA is \$2,000 for a group of one and \$3,000 for a group of two. BEM 400, p. 8; see also BEM 211 (October 2023), pp. 7 – 8.

In this case, the Department sent Petitioner a VCL on September 18, 2024 as part of her MA redetermination process. The Department requested that copies of Petitioner's current checking and savings account statements or a completed DHS 20 be provided by September 30, 2024. The VCL informed Petitioner to contact the Department immediately if she had questions or problems providing the requested proof.

The Department testified that it had previously sent Petitioner a VCL on August 20, 2024 requesting account statements for an account with Bank1, among other things, and that Petitioner provided those verifications. However, the Department testified, and Petitioner acknowledged, that Petitioner did not provide the verifications requested on September 18, 2024 and the evidence established that Petitioner had an account with Bank2. Petitioner further testified that she did not contact the Department prior to the deadline to request additional time or assistance to obtain the requested verifications. Therefore, because Petitioner did not provide the requested verification to the Department by the due date of September 30, 2024 or request an extension of time or assistance to obtain the requested verifications, the Department properly closed Petitioner's MA case effective November 1, 2024.

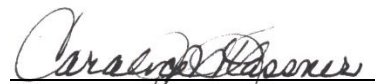
During the hearing, Petitioner was advised that she could reapply for MA at any time and request retroactive MA coverage if necessary.

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 for failure to return the requested verifications to the Department.

DECISION AND ORDER

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

CML/nr



Caralyce M. Lassner
Administrative Law Judge

