

GRETCHEN WHITMER
GOVERNOR

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

ORLENE HAWKS
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED] MI 4 [REDACTED]

Date Mailed: October 30, 2020
MOAHR Docket No.: 20-005494
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

DECISION AND ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; 42 CFR 431.200 to 431.250; and 42 CFR 438.400 to 438.424, upon the Petitioner's request for a hearing.

After due notice, a hearing was held on October 27, 2020. [REDACTED] appeared on his own behalf. [REDACTED] appeared and testified for the Petitioner. Florence Scott-Emuakpor, Appeals Review Officer, represented the Department of Health and Human Services (Department). Michelle Howe, Adult Services Worker, appeared and testified for the Department.

Exhibits:

Petitioner	None
Department	A – Hearing Summary

ISSUE

Did the Department properly determine Petitioner's start date of approval and payment authorization for Home Help Services (HHS) benefits?

FINDINGS OF FACT

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

1. On or around March 3, 2020, Petitioner requested HHS. (Ex A, p 8; Testimony.)
2. On April 23, 2020, the Department sent Petitioner's provider the paperwork necessary to initiate payment authorization. (Ex A, p 13; Testimony.)

3. Petitioner's provider had difficulty registering with CHAMPS and was not approved as an enrolled provider until July 1, 2020 (Ex A, p 12; Testimony.)
4. Petitioner's provider was in communication with the Adult Services Worker and was given guidance with regard to how to enroll. The paperwork necessary to initiate payment authorization was sent to Petitioner's provider a second time.
5. On July 7, 2020, the Department sent the Petitioner a Services and Payment Approval Notice informing Petitioner that home help services will be authorized for 17 hours and 15 minutes per month at a care cost of \$ [REDACTED] per month effective June 8, 2020 (Ex A, p 12; Testimony.)
6. On September 2, 2020, the Michigan Office of Administrative Hearings and Rules received from the Petitioner a request for a hearing. (Ex A, pp. 6-7.)

CONCLUSIONS OF LAW

The Medical Assistance Program (MA) is established pursuant to Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). It is administered in accordance with state statute, the Administrative Code, and the State Plan under Title XIX of the Social Security Act Medical Assistance Program.

Home Help Services (HHS) are provided to enable functionally limited individuals to live independently and receive care in the least restrictive, preferred settings. These activities must be certified by a health professional and may be provided by individuals or by private or public agencies.

CAREGIVER ENROLLMENT

All caregivers of Home Help must enroll in the Community Health Automated Medicaid Processing System (CHAMPS) and be approved prior to authorizing payment. During the enrollment process, individuals will be screened for criminal history. Once a caregiver is approved, CHAMPS will assign the caregiver a seven digit provider identification number. The ASW must allow 24 hours from the completion of enrollment in CHAMPS for the data to interface with MiAIMS.
ASM 135, p.6

In this case, the Department processed Petitioner's request for HHS benefits in a timely manner and gave him proper notice. The Department also sent Petitioner's provider notice on April 23, 2020, and informed Petitioner's provider that she needed to enroll with CHAMPS for payments to begin. Petitioner's provider had difficulty enrolling with CHAMPS and sought and received guidance from the Adult Services Worker. Petitioner's provider was not able to be approved until July 1, 2020. On July 7, 2020, a Services and Payment Approval Notice informing Petitioner home help services will be authorized for 17 hours and 15 minutes per month at a care cost of \$170.89 per month

effective June 8, 2020. Department policy under ASM 135 requires that a caregiver be enrolled in CHAMPS and be approved prior to authorizing payment. This action was proper and correct and consistent with Department policy.

As a result, based upon the testimony provided and the documentation provided, I find the Department acted appropriately in determining Petitioner's start date of approval and payment authorization for Home Help Services.

Accordingly, the determination of the start date of approval and payment authorization for Petitioner's HHS benefits must be upheld.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, decides that the Department properly determined Petitioner's start date of approval and payment authorization for Petitioner's HHS benefits.

IT IS, THEREFORE, ORDERED that:

The Department's decision is **AFFIRMED**.

AM/dh


Aaron McClintic

Administrative Law Judge
for Robert Gordon, Director
Department of Health and Human Services

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 30763
Lansing, Michigan 48909-8139

DHHS -Dept Contact

Michelle Martin
Capitol Commons
6th Floor
Lansing, MI 48909

DHHS Department Rep.

M. Carrier
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Agency Representative

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Petitioner

[REDACTED]
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DHHS-Location Contact

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