



Date Mailed: March 13, 2025

Docket No.: 25-003129

Case No.: [REDACTED]

Petitioner: [REDACTED]



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هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

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Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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 March 5, 2025. [REDACTED] Petitioner's niece and care provider, appeared on behalf of Petitioner. John Lambert, Appeals Review Officer, appeared on behalf of the Respondent, the Department of Health and Human Services (Department). Juanita Moore, Adult Services Worker, appeared as a witness for the Department.

Exhibits:

Petitioner	None
Department	A – Hearing summary

ISSUE

Did the Department properly determine the start date of the Petitioner's Home Help Services (HHS)?

FINDINGS OF FACT

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

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1. On October 8, 2024, the Department sent Petitioner a Negative Action Notice. The notice indicated Petitioner's HHS case would be terminated effective October 22, 2024, if Petitioner fails to select a provider by October 22, 2024. (Exhibit A; Testimony.)
 2. On October 21, 2024, both Petitioner and the Petitioner went to a Department office with their ID's and provided signed MSA-4676's. (Exhibit A; Testimony.)
 3. On October 31, 2024, Petitioner's provider participated in an in-home assessment with the Department. (Exhibit A; Testimony.)
 4. On November 16, 2024, the Department sent information to Petitioner indicating Petitioner's provider was not current in CHAMPS and asked Petitioner to have her provider contact CHAMPS to get her eligibility as a provider updated. (Exhibit A; Testimony.)
 5. On or around November 25, 2024, the Petitioner's Provider updated her eligibility in CHAMPS. (Exhibit A; Testimony.)
 6. On December 12, 2024, the Department sent Petitioner a Services Approval Notice, approving services effective November 25, 2024. (Exhibit A.)
 7. On January 23, 2025, the Michigan Office of Administrative Hearings and Rules received from Petitioner, a request for hearing, challenging the start date of services. (Exhibit A.)

CONCLUSIONS OF LAW

The Medical Assistance Program 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 Social Welfare Act, 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 physician and may be provided by individuals or by private or public agencies.

Applicable policies regarding HHS can be located in various parts of the Adult Services Manual (ASM) and the Bridges Administrative Manual (BAM). For example, with respect to caregiver selection for HHS, ASM 135 states in part:

ASM 135 Home Help Caregivers

Criminal History Screen

All Home Help individual caregivers must undergo a criminal history screen prior to providing personal care services.

...

The caregiver must be enrolled in the Community Health Automated Medicaid Processing System (CHAMPS) and undergo a criminal history screen. The screening must be completed and passed before a provider can be paid to provide Home Help services.

...

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 date to interface with MiAIMS.⁷

ASM 140 PAYMENT AUTHORIZATIONS

No payment can be authorized unless the individual caregiver has been enrolled and screened for criminal history in the Community Health Automated Medicaid Processing System (CHAMPS).

Agency caregivers must be enrolled in CHAMPS. In addition to enrolling in CHAMPS, a Home Help agency provider must be registered as a vendor with the State of Michigan by registering and updating their information online using the Statewide Integrated Governmental Management Applications (SIGMA) system at www.michigan.gov/SIGMAVSS.

If an agency provider is not registered with the State of Michigan payments will not be processed.⁸

⁷ ASM 135, Home Help Caregives, July 1, 2024, pp 3-4, 6.

⁸ ASM 140, Payment Authorizations, February 1, 2023, p 1.

In this case, Petitioner is appealing the start date for HHS payments. Consequently, Petitioner bears the burden of proof in this matter.

In regard to the start date issue, the Department indicated the applicable policy forbids payment when CHAMPS registration and the corresponding Criminal History Screening had not been completed.

Petitioner did not dispute the policy and instead argued she had been providing care for the past 6 months and was doing everything for Petitioner since the passing of her mother. Petitioner did indicate there was zero communication following the initial visit up until the termination notice and was waiting to hear something directly from the Department.

Based on the evidence presented, I do not find the Petitioner to have met their burden of proof. The policy is clear in that it requires CHAMPS registration and a criminal history screening prior to payments being made.

Consequently, the evidence reflects the Department acted appropriately in selecting the appropriate start date for services.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Department properly determined the effective start date of Petitioner's HHS payments.

IT IS THEREFORE ORDERED THAT:

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



COREY A. ARENDT
ADMINISTRATIVE LAW JUDGE

APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://irs.michbar.org> or Michigan Legal Help at <https://michiganlegalhelp.org>. A copy of the circuit court appeal should be sent to MOAHR. A circuit court appeal may result in a reversal of the Hearing Decision.

Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation of the specific reasons for the request, and any documents supporting the request. The request should be sent to MOAHR

- by email to MOAHR-BSD-Support@michigan.gov, **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to
Michigan Office of Administrative Hearings and Rules
Rehearing/Reconsideration Request
P.O. Box 30639
Lansing Michigan 48909-8139

Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed.



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