



Date Mailed: May 29, 2025

Docket No.: 25-009208

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.

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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; 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 via telephone conference on May 7, 2025. Petitioner appeared for the hearing and represented herself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Layanna Jefferson, Hearing Facilitator.

ISSUE

Did the Department properly deny Petitioner's application for Medical Assistance (MA) benefits?

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 or around [REDACTED] 2025, Petitioner submitted an application for MA benefits.
2. On or around January 27, 2025, the Department sent Petitioner a Verification Checklist (VCL) instructing her to submit proof of her income from the last 30 days by February 6, 2025. (Exhibit A, pp. 15-16)
3. The Department asserted that Petitioner failed to submit the requested verifications by the February 6, 2025, due date.
4. There was no evidence that Petitioner requested an extension of time to submit the verifications or requested assistance with obtaining the verifications.
5. On February 14, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice advising Petitioner that she was ineligible for MA because verification of income was not returned. (Exhibit A, pp. 17-20)
6. On February 24, 2025, the Department received Petitioner's paystubs.

25-009208

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7. On or around February 27, 2025, Petitioner requested a hearing disputing the denial of her MA application. (Exhibit A, pp.3-5)
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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 this case, Petitioner disputed the denial of her [REDACTED] 2025, MA application.

Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level. BAM 130 (May 2024), p.1. To request verification of information, the Department sends a verification checklist (VCL) which tells the client what verification is required, how to obtain it, and the due date. BAM 130, p. 3. Although the client must obtain the required verification, the Department must assist if a client needs and requests help. If neither the client nor the Department can obtain the verification despite a reasonable effort, the Department is to use the best available information; and if no evidence is available, the Department is to use its best judgment. BAM 130, pp. 3-4. For MA cases, clients are given 10 calendar days (or other time limit specified in policy) to provide the verifications requested by the Department. BAM 130, pp. 7-9. If the client cannot provide the verification despite a reasonable effort, the Department is to extend the time limit to submit the verifications up to two times. BAM 130, pp. 7-9. Verifications are considered to be timely if received by the date they are due. BAM 130, pp. 7-9. The Department will send a negative action notice when the client indicates refusal to provide a verification, or the time period given has lapsed. BAM 130, pp. 8-9.

At the hearing, the Department representative testified that because Petitioner failed to timely submit verification of her income by the February 6, 2025, due date identified on the VCL, it initiated the denial of her MA application by issuing the February 14, 2025, Health Care Coverage Determination Notice. The Department representative testified that Petitioner did not request an extension of time to submit the verifications and did not request assistance with obtaining the verifications. Petitioner confirmed that she received a VCL and testified that in response, she mailed her paystubs to the


Department on either January 28, 2025, or January 30, 2025, by placing them in a stamped envelope in her mailbox for her mailman to take to the post office. Petitioner testified that after receiving the Health Care Coverage Determination Notice, she sent out a second set of her paystubs to the Department through the post office and requested tracking to ensure the paystubs were received by the Department. The Department confirmed that on February 24, 2025, and February 27, 2025, it received paystubs from Petitioner. However, because the application had already been denied, it was too late, and the application could not be reprocessed.

Upon review, based on the information available to the Department at the time the application was processed, it had not received any paystubs from Petitioner. Thus, despite Petitioner's testimony that she relied upon the mailman to take her paystubs to the post office for mailing, there was no evidence that the paystubs were received by the Department by the due date identified on the VCL. Petitioner is advised that she is entitled to submit a new application for MA benefits and to request retroactive MA coverage if applicable.

DECISION AND ORDER

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 denied Petitioner's [REDACTED] 2025, application.

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



ZAINAB A BAYDOUN
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://lrs.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.



Via Electronic Mail:

Respondent

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Interested Parties

BSC4

M SCHAEFER

EQAD

Via First Class Mail:

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