



Date Mailed: May 21, 2025
Docket No.: 25-011375
Case No.: [REDACTED]
Petitioner: [REDACTED]

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

This is an important legal document. Please have someone translate the document.

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

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

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

这是一份重要的法律文件。请让别人翻译文件。

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

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Case No.: [REDACTED]

Petitioner: [REDACTED]

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 1, 2025. Petitioner was represented by Authorized Hearing Representative (AHR) [REDACTED]. A representative from the Michigan Department of Health and Human Services (MDHHS or Department) did not appear for the hearing and it was held in the absence of the Department.

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 requesting MA benefits.
2. On or around February 25, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice denying her application for MA benefits because verification of application for Medicare was not submitted.
3. On or around March 24, 2025, Petitioner requested a hearing disputing the denial of her MA application.
4. The Department acknowledged that the denial of Petitioner's MA application was improper and began reprocessing the application by sending Petitioner a Verification Checklist (VCL).

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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. The undersigned read the Hearing Summary prepared by the Department in response to Petitioner's request for hearing into the hearing record. According to the Hearing Summary, the Department initially denied Petitioner's MA application for failure to provide verification of application with Medicare. However, the client sent in verification that she applied for Medicare with the Social Security Administration and was denied. On March 25, 2025, after receiving Petitioner's hearing request, the Department reviewed the case and began reprocessing the application with a VCL issued to Petitioner on March 25, 2025.

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.

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At the hearing, Petitioner's AHR asserted that Petitioner received a VCL dated March 25, 2025, and in response, submitted all requested verifications to the local Department office in Southfield. Petitioner's AHR testified that she subsequently received a denial notice on or around April 7, 2025, advising that Petitioner was again denied MA benefits for February 1, 2025, ongoing because she failed to verify requested information.

Although the Hearing Summary was read into the record, the Department was not present for the hearing and thus did not present any evidence in support of the processing and denial of Petitioner's [REDACTED] 2025, MA application. The Hearing Summary acknowledged an error in the initial February 25, 2025, denial and the Department began reprocessing Petitioner's MA application. There was no evidence presented regarding the actions taken by the Department in reprocessing the application or any subsequent eligibility determination. Because the Department was not present for the hearing, there was no evidence presented in support of its determination that Petitioner was ineligible for MA benefits effective February 1, 2025, and supporting the denial of the [REDACTED] 2025, MA application. Thus, the Department will be ordered to reprocess the MA application and provide MA coverage to the Petitioner, if otherwise eligible.

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 failed to satisfy its burden of showing that it acted in accordance with Department policy when it denied Petitioner's [REDACTED] 2025, MA application.

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

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Register and reprocess Petitioner's [REDACTED] 2025, MA application to determine her eligibility under the most beneficial category;
2. Provide Petitioner with MA coverage under the most beneficial category, that she was entitled to receive but did not from February 1, 2025, ongoing; and
3. Notify Petitioner and her AHR in writing of its decision.


Zainab Raydon
2025.01.13/3

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

OAKLAND COUNTY DHHS - SOUTHFIELD DIST

25620 W 8 MILE RD

SOUTHFIELD, MI 48033

MDHHS-OAKLAND-6303-HEARINGS@MICHIGAN.GOV

Interested Parties

BSC4

M SCHAEFER

EQAD

MOAHR

Via First Class Mail:

Authorized Hearing Rep

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

Petitioner

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