



**Date Mailed:** May 23, 2025

**Docket No.:** 25-012717

**Case No.:** [REDACTED]

**Petitioner:** [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।

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

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**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

**DECISION AND ORDER**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 42 CFR 431.200 *et seq.*, upon Petitioner’s request for a hearing.

After due notice, a hearing was held on May 20, 2025. [REDACTED] appeared on behalf of Petitioner. [REDACTED] and [REDACTED] appeared as witnesses for Petitioner. John Lambert, Appeals Review Officer, appeared on behalf of the Respondent, Michigan Department of Health and Human Services (Department). Shaumanique Bright, Adult Services Worker, appeared as a witness for the Department.

Exhibits:

Petitioner	None
Department	A – Hearing Summary 25 012717
	B – Hearing Summary 25 012718

**ISSUE**

Did the Department properly terminate 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:

1. As of January 15, 2025, Petitioner was approved for and receiving HHS. (Exhibit A; Exhibit B; Testimony.)

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2. On January 15, 2025, Department sent Petitioner a home visit letter scheduling a home visit for February 6, 2025, between 8:30 a.m. and 1:00 p.m. (Exhibit A; Exhibit B; Testimony.)
  3. On February 6, 2025, the Department attempted the home visit; and it was unsuccessful as Petitioner was not home. (Exhibit A; Exhibit B; Testimony.)
  4. On February 6, 2025, the Department sent Petitioner a Negative Action Notice informing Petitioner of their case closing as a result of the unsuccessful home visit. (Exhibit A; Exhibit B; Testimony.)
  5. On February 10, 2025, Petitioner contacted the Department and apologized for the missed visit and discussed a visit for March of 2025. (Exhibit A; Exhibit B; Testimony.)
  6. On February 10, 2025, the Department sent Petitioner a second home visit letter scheduling a home visit for March 6, 2025, between 8:30 a.m. and 1:00 p.m. (Exhibit A; Exhibit B; Testimony.)
  7. On March 6, 2025, the Department attempted a home visit; and it was unsuccessful as Petitioner was not home. (Exhibit A; Exhibit B; Testimony.)
  8. On March 6, 2025, the Department sent Petitioner a negative action notice indicating Petitioner's HHS case would close as a result of an inability to perform a six-month review. (Exhibit A; Exhibit B; Testimony.)
  9. On April 14, 2025, the Michigan Office of Administrative Hearings and Rules received a request from Petitioner for hearing. (Exhibit A; Exhibit B.)

### **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.

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The Adult Services Manual (ASM) addresses eligibility for Home Help Services:

**MDHHS-5534, ADULT SERVICES COMPREHENSIVE ASSESSMENT**

The ASW must conduct a face-to-face interview with the client in their home to assess the personal care needs.<sup>7</sup>

**REQUIREMENTS**

Requirements for the comprehensive assessment include, but are not limited to:

- A comprehensive assessment will be completed on all new cases.
- A face-to-face contact is required with the client in their place of residence...
- The assessment must be updated as often as necessary, but minimally at the six-month review.<sup>8</sup>

Department policy requires a face-to-face assessment to be conducted in order to maintain eligibility for HHS. In this case, the assessment did not take place as scheduled; and the request for services was denied.

Petitioner disputed the Department's position and argued they were home on the date in question and verbally indicated the presence of a security camera and footage from the camera as well as seeing the worker at the door. The Petitioner, however, did not present the security camera footage for review and thus lacked any evidence to support the self-serving statements.

Consequently, I find sufficient evidence to affirm the Department's actions in this case. The Petitioner is free to reapply for services at any point in time.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, decides that the Department did not err in terminating Petitioner's HHS.

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<sup>7</sup> ASM 115 Adult Services Requirements, May 1, 2023, p 4.

<sup>8</sup> ASM 120 Adult Services Comprehensive Assessment, May 1, 2023, p 1.

IT IS THEREFORE ORDERED that:

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

  
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**COREY A. ARENDT**  
**ADMINISTRATIVE LAW JUDGE**

25-012717

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**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](http://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](mailto: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:**

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**Petitioner**

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