



**Date Mailed:** June 9, 2025

**Docket No.:** 25-014587

**Case No.:** [REDACTED]

**Petitioner:** [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.

**Date Mailed:** June 9, 2025

**Docket No.:** 25-014587

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Corey Arendt**

**DECISION AND ORDER**

Following Petitioner’s request for 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 *et seq*; 42 CFR 438.400 *et seq*; and Mich Admin Code, R 792.11002.

After due notice, a telephone hearing was held on June 3, 2025. Petitioner appeared on her own behalf. Allison Pool, Appeals Review Officer, represented the Department. Robert Villas appeared as a witness for the Department.

Exhibits:

Petitioner	None
Department	A – Hearing Summary

**ISSUE**

Did the Department properly deny Petitioner’s request for medical transportation reimbursement to a Federally Qualified Health Center (FQHC)?

**FINDINGS OF FACT**

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

1. Petitioner is a Medicaid beneficiary eligible for Non-Emergency Medical Transportation (NEMT) through the Department. (Exhibit A)
2. Northern Lakes Community Clinic is a FQHC. (Exhibit A; Testimony)
3. On December 13, 2024, Petitioner was approved for non-emergent medical transportation at a mileage rate of \$.67 per mile, lodging, and meals at the

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standard rate for Petitioner and escort to attend outpatient appointments in Milwaukee, Wisconsin. The approval was granted [REDACTED] 2024, through [REDACTED] 2025. Later an extension was approved to cover [REDACTED] 2025, through [REDACTED] 2025. (Exhibit A; Testimony)

4. On or around March 28, 2025, Petitioner submitted a request for mileage reimbursement for [REDACTED] 2025, to attend medical appointments at Northern Lakes Community Clinic. (Exhibit A; Testimony)
5. On March 31, 2025, the Department sent Petitioner a notice of denial, denying Petitioner's March 28, 2025, request indicating the transportation is not a covered benefit due to Northern Lakes Community Clinic being a FQHC. (Exhibit A; Testimony)
6. On or around April 8, 2025, Petitioner submitted a request for mileage reimbursement for [REDACTED] 2025, to attend medical appointments at Northern Lakes Community Clinic. (Exhibit A; Testimony)
7. On April 9, 2025, the Department sent Petitioner a notice of denial, denying Petitioner's April 8, 2025, request indicating the transportation is not covered by Medicaid. (Exhibit A; Testimony)
8. On April 24, 2025, Petitioner's Request for Hearing was received by the Michigan Office of Administrative Hearings and Rules. (Exhibit A)

### **CONCLUSIONS OF LAW**

The Medicaid program (MA) was established pursuant to Title XIX of the Social Security Act (SSA) and is implemented by 42 USC 1396 *et seq.*, and Title 42 of the Code of Federal Regulations (42 CFR 430 *et seq.*). The program is administered in accordance with state statute, the Social Welfare Act (MCL 400.1 *et seq.*), various portions of Michigan's Administrative Code (1979 AC, R 400.1101 *et seq.*), and the State Plan promulgated pursuant to Title XIX of the SSA.

Policy addressing non-emergency medical transportation coverage under the State Medicaid Plan is found in the Medicaid Provider Manual. In part, this policy states:

#### **SECTION 1 – INTRODUCTION**

This chapter applies to non-emergency medical transportation (NEMT) providers and authorizing parties. The Medicaid NEMT benefit is covered for Medicaid, MICHild, and Healthy Michigan Plan (HMP) beneficiaries, and for Children's Special Health Care Services (CSHCS) beneficiaries who also have Medicaid coverage.

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Federal law at 42 CFR 431.53 requires Medicaid to ensure necessary transportation for beneficiaries to and from services that Medicaid covers. The NEMT benefit must be administered to beneficiaries in an equitable and consistent manner.

Beneficiaries are assured free choice in selecting a Medicaid medical provider to render services. A beneficiary's free choice of medical provider selection does not require the Medicaid program to cover transportation beyond the standards of coverage described in this policy in order to meet a beneficiary's personal choice of medical provider.

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## **SECTION 11 – NON-COVERED SERVICES**

The following transportation services are not reimbursable:

- Waiting time;
- Trips that were provided prior to approval from the authorizing party;
- Multiple trips for a single Medicaid service;
- When a beneficiary failed to keep their appointment;
- Trips to and from services that are not covered (e.g., grocery store, non-Medicaid covered medical services);
- Routine medical care outside a beneficiary's community when comparable care is available locally, unless prior authorized;
- Transportation to and from services for individuals who have not met their spend-down;
- Expenses for services that have already occurred;
- Services for long-term care beneficiaries. Routine, non-emergency medical transportation provided for long-term care residents in a van or other non-emergency vehicle is included in the facility's per diem rate. This includes transportation for medical appointments, dialysis, therapies, or other treatments

not available in the facility. (Refer to the Nursing Facility Coverages chapter of this manual for additional information regarding NEMT for long-term care beneficiaries);

- Transportation for managed care program enrollees for services covered under the program contract (refer to the Managed Care Programs section of this chapter for additional information); and
- Transportation for services provided in FQHCs.<sup>1</sup>

The Department's witness testified that Petitioner sought reimbursement for trips to Northern Lakes Community Clinic, a FQHC. As a result, the Department had no choice but to deny the transportation reimbursement requests submitted.

Petitioner first argued that Northern Lakes Community Clinic was not a FQHC but failed to provide any evidence to substantiate this argument. Next, Petitioner indicated her reimbursement requests for transportation to this facility had been approved in the past. The Department acknowledged this as true but indicated the prior authorizations were in error, and the denials are now as a result of that discovery.

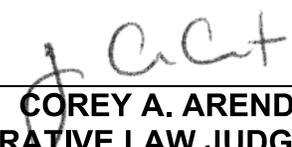
Based on the evidence presented, the Department's denial of Petitioner's request for medical transportation was in accordance with the above-cited policy. This ALJ can only base his decision on information available to the Department at the time the decision was made. Based on that information, the Department's decision was correct. Therefore, based on the evidence presented, the Department's determination to deny Petitioner's request for medical transportation must be upheld because it was within policy.

### **DECISION AND ORDER**

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, decides that the Department properly denied Petitioner's request for medical transportation.

**IT IS, THEREFORE, ORDERED** that:

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

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

<sup>1</sup> Medicaid Provider Manual, Non-Emergency Medical Transportation, July 1, 2020, pp 19.

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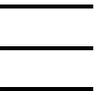
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**APPEAL RIGHTS:** Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at [courts.michigan.gov](https://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://sbar.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 First Class and  
Electronic Mail:**

**Petitioner**

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