



Date Mailed: May 30, 2025
Docket No.: 25-015299
Case No.: [REDACTED]
Petitioner: [REDACTED]

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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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Docket No.: 25-015299

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 22, 2025, with the parties appearing from a local Michigan Department of Health and Human Services (MDHHS or Department) office. [REDACTED] authorized hearing representative (AHR) for Petitioner [REDACTED] appeared and was unrepresented. MDHHS was represented by Jacob Frankmann, Assistance Payment Supervisor.

ISSUE

Did MDHHS properly close Petitioner's Medicaid (MA) and Medicare Savings Program (MSP) cases?

FINDINGS OF FACT

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

1. Petitioner was an ongoing recipient of MSP benefits and MA health insurance coverage under the Extended Care program.
2. Petitioner is [REDACTED] years old, disabled, and not a caretaker of minor children.
3. Petitioner is a recipient of [REDACTED] in monthly Retirement, Survivors and Disability Insurance (RSDI) based on age and disability.
4. In connection with an MA redetermination, Petitioner provided verification of her bank account with True Community Credit Union (Bank).
5. The January 2025 Bank statement showed that Petitioner had a savings account with a \$5.88 balance and a checking account with a January 1, 2025 beginning balance of \$10,093.48, a deposit of [REDACTED] on January 3, 2025, and a January 31, 2025 balance of \$11,747.48. (Exhibit A, pp. 15-16)

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6. On February 27, 2025, MDHHS sent Petitioner a Health Care Coverage Determination Notice (HCCDN) approving her MA under the Plan First Family Planning (PFFP) program and closing her Extended Care MA and MSP cases effective April 1, 2025 due to excess assets.

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.

At the hearing, MDHHS explained that Petitioner's MA coverage under the Extended Care program and MSP case closed effective April 1, 2025 due to excess assets.

Petitioner, who is 67 years old, disabled and not the caretaker of minor children, is potentially eligible for MA health insurance coverage under an SSI-related category, the MA category for individuals who are blind, disabled or over age 65. BEM 400 (March 2025), p. 1; BEM 105 (April 2025), p. 1. MSP, a State-administered program in which the State pays an income-eligible client's Medicare premiums, coinsurances, and deductibles, is also an SSI-related MA program for individuals who are blind, disabled or over age 65. BEM 165 (July 2024), pp 1-2; BAM 810 (July 2019), p. 1.

Assets must be considered when determining eligibility under SSI-related MA programs. BEM 400, p. 1; BEM 165, p. 8. For SSI-related MA, the asset limit beginning February 2025 is \$9,660 for an unmarried individual such as Petitioner. BEM 400, p. 8; BEM 211 (October 2023), p. 8. Money in checking and savings accounts are assets. BEM 400, pp. 1, 16. Asset eligibility for MA exists when the asset group's countable assets are less than, or equal to, the applicable asset limit at least one day during the month being tested. BEM 400, p. 6. The value of a checking, savings, or money market account is the lowest balance in the month asset eligibility is being determined. BEM 400, p. 1. Current income is excluded from the calculation of asset value for the same month it is counted as income for the same program. BEM 400, p. 23.

At the hearing, MDHHS testified that it concluded that, based on the funds in Petitioner's accounts at Bank, the value of her assets exceeded the applicable MA and MSP asset limit. MDHHS relied on the January 2025 Bank statement that showed that Petitioner had

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a savings account with a \$5.88 balance and a checking account with a January 1, 2025 beginning balance of \$10,093.48 and a January 31, 2025 end balance of \$11,747.48. The end balance included a deposit of [REDACTED] on January 3, 2025. (Exhibit A, pp. 15-16) Based on these figures, Petitioner's lowest checking account balance excluding the month's current RSDI income deposit was \$10,093.48. Because this amount exceeded the applicable \$9,660 asset limit, MDHHS properly concluded that Petitioner had excess assets for SSI-related MA health insurance categories and MSP.

The AHR did not dispute the balances in Petitioner's account, explaining that when her mother, who had been Petitioner's legal guardian, fell ill and was unable to oversee the Bank account, she was unable to access the account herself until she obtained legal guardianship over Petitioner in April 2025. When she did acquire guardianship, she paid Petitioner's outstanding expenses from the Bank account, thereby reducing the outstanding balance. Although these circumstances explain why Petitioner's Bank balance had grown, based on the information MDHHS had at the time it processed the redetermination, MDHHS properly concluded that Petitioner had excess assets and closed her MA and MSP cases effective April 1, 2025.

Because the AHR testified that Petitioner's Bank balance had been considerably reduced due to payments from the accounts for Petitioner's living expenses, she was advised to reapply on Petitioner's behalf to determine if Petitioner had reestablished asset and other eligibility criteria.

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, based on the information available to it at the time it processed Petitioner's MA and MSP redetermination, MDHHS acted in accordance with Department policy when it closed Petitioner's MA and MSP cases due to excess assets.

Accordingly, MDHHS's decision is **AFFIRMED**.


ALICE C. ELKIN
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

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M SCHAEFER
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Via First Class Mail:

Authorized Hearing Rep

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Petitioner

[REDACTED]
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