



**Date Mailed:** July 10, 2025

**Docket No.:** 25-017245

**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।

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.

[REDACTED] MI [REDACTED]

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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 June 5, 2025. Petitioner was represented by attorney Lisa Ruby. Ashley Wiseman, Petitioner, was present. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Erica Buchanan, Assistance Payments Worker (APW) and Desiree Mitchell, Assistance Payments Supervisor (APS).

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-13 and Petitioner's additional documentation was admitted as Exhibit 1, pp. 1-2.

### **ISSUE**

Did the Department properly close Petitioner's Medical Assistance (MA) benefit case?

### **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 receiving MA under the Freedom to Work (MA-FTW) category. (Exhibit A, p. 8)
2. On March 21, 2025, the Department sent Petitioner a letter and refund check for \$ [REDACTED] because she made payment to MA-FTW and did not owe this money. (Exhibit 1, p. 2)
3. On April 2, 2025, the Department sent Petitioner a letter stating her total MA-FTW premium due was \$0.00, she had \$ [REDACTED] in credits, and since the last invoice they received a payment of \$ [REDACTED] on March 4, 2025. (Exhibit 1, p. 1)
4. An interface showed that Petitioner's MA-FTW premium received was marked as no. (Exhibit A, p. 8)

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5. The Department closed Petitioner's MA-FTW case based on the premiums not being paid. (Exhibit A, p. 8)
  6. On April 15, 2025, a Health Care Coverage Determination Notice was issued to Petitioner reflecting that her MA benefit case would close effective May 1, 2025. (Exhibit A, pp. 4-7)
  7. Petitioner called MIENROLLS, to confirm that her MA-FTW premiums are up to date. (Exhibit A, p. 1)
  8. On April 21, 2025, Petitioner filed a hearing request contesting the MA closure. (Exhibit A, p. 3)
  9. On May 5, 2025, a Health Care Coverage Determination Notice was issued to Petitioner stating she was eligible for MA-FTW for the period of August 1, 2024 through September 30, 2024 with an estimated premium amount of \$151.19. (Exhibit A, pp. 10-13)

### **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.

BEM 174 addresses MA-FTW premium payment:

#### **PREMIUM PAYMENT**

There are no premiums for individuals with MAGI (Modified Adjusted Gross Income) income less than 138 percent of the federal poverty level (FPL).

- A premium of 2.5 percent of their income will be charged for an individual with MAGI income between 138 percent of the FPL and \$75,000 annually.

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- A premium of 100 percent of the average FTW participant cost will be assessed for an enrolled individual with MAGI income over \$75,000.

Bridges will automatically notify the premium coordinator when premiums for a FTW participant start/change/end. The premium coordinator has final determination over actual premium begin or amount change dates, as well as premium exclusions.

Nonpayment of premium is automatically sent to Bridges and mass update will close the Freedom to Work category.

BEM 174, October 1, 2024, p. 3.

In this case, there appears to be a system error resulting in an interface showing indicating Petitioner did not pay MA-FTW premiums. (Exhibit A, p. 8). This resulted in the April 15, 2025, Health Care Coverage Determination Notice reflecting that Petitioner's MA benefit case would close effective May 1, 2025. (Exhibit A, pp. 4-7). However, Petitioner has provided credible evidence to establish that her MA-FTW premiums were up to date. On March 21, 2025, the Department sent Petitioner a letter and refund check for \$ [REDACTED] because she made payment to MA-FTW and did not owe this money. (Exhibit 1, p. 2). Further, on April 2, 2025, the Department sent Petitioner a letter stating her total MA-FTW premium due was \$0.00, she had \$ [REDACTED] in credits, and since the last invoice they received a payment of \$ [REDACTED] on March 4, 2025. (Exhibit 1, p. 1). Accordingly, the MA-FTW closure cannot be upheld because Petitioner has provided sufficient evidence to establish that her MA-FTW premiums were up to date when the April 15, 2025 determination was made to close her MA-FTW benefit case.

### **DECISION AND ORDER**

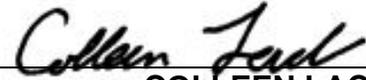
The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department did not act in accordance with Department policy when it closed Petitioner's MA-FTW case.

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:

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1. Reinstate Petitioner's MA-FTW case as of the May 1, 2025 effective date in accordance with Department policy.



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COLLEEN LACK  
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](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://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.

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**Via Electronic Mail:**

**Respondent**

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**Interested Parties**

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**Via First Class Mail:**

**Petitioner**

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