



**Date Mailed:** August 4, 2025

**Docket No.:** 25-022121

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

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

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[REDACTED]  
[REDACTED] MI [REDACTED]

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### **DECISION AND ORDER**

On June 17, 2025, Petitioner [REDACTED] requested a hearing to dispute a Home Help Services (HHS) determination. As a result, a hearing was scheduled to be held on July 31, 2025. Medicaid services hearings are held pursuant to MCL 400.9 and 400.37; 42 CFR 431.200 to 431.250; 42 CFR 438.400 to 438.424; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared with her HHS provider, [REDACTED]. Respondent Michigan Department of Health and Human Services (Department) had Appeals Review Officer Allison Pool appear as its representative. Respondent had three witnesses: Adult Services Worker Michael Rider, Adult Services Worker Daeauna Sangster, and Adult Services Supervisor Leslie Sims. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 49-page packet of documents provided by the Department was admitted into evidence as Exhibit A.

### **ISSUE**

Did the Department properly determine Petitioner's Home Help Services (HHS) eligibility?

### **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 an HHS recipient.
2. On November 14, 2024, the Department mailed a services approval notice to Petitioner to notify her that she was approved for 35 hours and 54 minutes of HHS per month, effective October 1, 2024.
3. On May 19, 2025, the Department met with Petitioner to complete an HHS assessment. During the assessment, Petitioner reported that she has lived alone in her apartment for two years. The Department informed Petitioner that she would

likely receive an increase in HHS because she no longer lives in a shared household.

4. On May 19, 2025, the Department mailed a services approval notice to Petitioner to notify her that she was approved for 48 hours and 18 minutes of HHS per month, effective May 1, 2025.
5. Petitioner requested a hearing because she wants her HHS to be increased retroactively to May of 2021 because she was receiving reduced HHS for a shared household while she was living alone.

### **CONCLUSIONS OF LAW**

The Medical Assistance Program (MA) 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 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 health professional and may be provided by individuals or by private or public agencies.

In this case, Petitioner submitted a hearing request to dispute the amount of HHS that she was approved for before May 1, 2025. The Department issued a services approval notice to Petitioner on May 19, 2025, to notify Petitioner that she was approved for 48 hours and 18 minutes of HHS, effective May 1, 2025. Prior to that, the most recent services approval notice that the Department had issued to Petitioner was issued to Petitioner on November 14, 2024. Petitioner did not dispute the November 14, 2024, services approval notice until she submitted her hearing request on June 17, 2025.

Petitioner's hearing request was not submitted timely to dispute the amount of HHS that she was approved for before May 1, 2025. A client's hearing request must be received by the Department within 90 days of the date of a negative action. BAM 600 (July 1, 2025), pp. 6-7. Petitioner's hearing request was not received within 90 days of the date of the November 14, 2024, services approval notice, so it was not submitted timely to dispute the amount of HHS approved in the November 14, 2024, services approval notice. Accordingly, Petitioner cannot dispute the amount of HHS that she was approved for before May 1, 2025.

Petitioner is not disputing the amount of HHS that she was approved for effective May 1, 2025. Petitioner did not present sufficient evidence to establish that the Department did not properly determine her HHS eligibility when the Department issued the May 19, 2025, services approval notice. Therefore, the Department's May 19, 2025, services approval notice is affirmed.

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**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, decides that the Department properly determined Petitioner's HHS eligibility.

**IT IS ORDERED** that the Department's decision is **AFFIRMED**.



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**JEFFREY KEMM**  
**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://irs.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**

[REDACTED]  
MI [REDACTED]  
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