



Date Mailed: October 21, 2025
Docket No.: 25-024176
Case No.: [REDACTED]
Petitioner: [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.

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Docket No.: 25-024176

Case No.: [REDACTED]

Petitioner: [REDACTED]

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 October 16, 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 and represented himself. Petitioner had one witness, [REDACTED]. Respondent Michigan Department of Health and Human Services (Department) had Appeals Review Officer Florence Scott-Emuakpor appear as its representative. Respondent had one witness, Adult Services Supervisor Natasha Burns. An Arabic interpreter provided interpretation for the hearing. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 38-page packet of documents provided by the Department was admitted into evidence as Exhibit A.

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. Petitioner is an HHS recipient.
2. On April 28, 2025, the Department mailed a negative action notice to Petitioner to notify Petitioner that his HHS was going to be terminated effective May 12, 2025, because Petitioner did not have Medicaid that covered HHS.
3. At the time that the Department mailed the negative action notice, Petitioner did not have active Medicaid. However, Petitioner obtained full-coverage Medicaid before May 12, 2025, so the Department did not terminate Petitioner's HHS.
4. Petitioner requested a hearing to dispute the Department's negative action notice.

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5. Petitioner also has a dispute concerning payments for his HHS. Specifically, Petitioner asserts that the Department has not issued payments to his HHS provider.
 6. The Department issued a payment for Petitioner's June 2025 HHS on July 31, 2025, but the payment was marked as stolen, so the Department had to reissue it. The Department reissued the payment on October 3, 2025.
 7. The Department issued a payment for Petitioner's July 2025 HHS on August 14, 2025, and the Department's records indicate that the payment has been cashed.
 8. The Department has not issued a payment for Petitioner's August 2025 and September 2025 HHS yet because Petitioner's HHS provider has not completed information in CHAMPS yet.
 9. Petitioner also has a dispute concerning his approved HHS hours.

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.

The negative action notice that Petitioner requested a hearing to dispute never took effect. The Department issued a negative action notice to notify Petitioner that his HHS was going to be terminated effective May 12, 2025, because Petitioner did not have Medicaid that covered HHS. However, Petitioner obtained full-coverage Medicaid before May 12, 2025, so the Department did not terminate Petitioner's HHS. Thus, whether the Department properly terminated Petitioner's HHS because he did not have Medicaid that covered HHS is a moot issue.

Petitioner asserted that he had other disputes that he wanted to address. However, those issues were not heard. Petitioner wanted to dispute payments for his HHS. Petitioner has had problems with his HHS provider(s) getting paid. This is an issue that Petitioner needs to address with the Department. The Department provided Petitioner with a phone number to contact the Department to address his dispute concerning the HHS payments. Petitioner also wanted to dispute his approved HHS hours. Petitioner's hearing request did not raise this dispute. This is an issue that arose after Petitioner

submitted his hearing request on June 17, 2025, so Petitioner will need to submit a new hearing request that specifically disputes his approved HHS hours before his dispute concerning his approved HHS hours can be heard.

Petitioner did not present sufficient evidence to establish that the Department did not act in accordance with the applicable policy and law when it issued the April 28, 2025, negative action notice that notified Petitioner that his HHS was going to be terminated because he did not have Medicaid that covered HHS. Accordingly, the Department's decision is affirmed. However, as discussed above, this is a moot issue.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, decides that the Department properly issued the April 28, 2025, negative action notice that notified Petitioner his HHS was going to be terminated because he did not have Medicaid that covered HHS.

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



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. 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://rs.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 LARA-MOAHR-DCH@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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