



**Date Mailed:** September 9, 2025

**Docket No.:** 25-024548

**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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### **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 August 13, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Jennifer Richard, Hearing Facilitator. Department Exhibit 1, pp. 1-44 and Exhibit 2, pp. 1-2 were received and admitted.

### **ISSUE**

Did the Department properly close Petitioner's Freedom to Work Medicaid (MA-FTW) because he failed to verify employment income?

### **FINDINGS OF FACT**

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

1. On March [REDACTED] 2025, Petitioner submitted redetermination paperwork for his Medicaid.
2. On March [REDACTED] 2025, a Verification Checklist was sent to Petitioner requesting verification of employment.
3. On April [REDACTED] 2025, Petitioner submitted check stubs.
4. On June [REDACTED] 2025, a Verification Checklist was sent to Petitioner requesting verification of assets.
5. On June [REDACTED] 2025, Petitioner submitted his federal income tax return and a utility bill.
6. On June [REDACTED] 2025, a Health Care Coverage Determination Notice was sent to Petitioner informing him that he was eligible for the Medicare Savings Program and Freedom to Work Medicaid with an estimated \$0 premium from November 1, 2024, through January 31, 2025, and April 1, 2025, through June 30, 2025. This notice also states that Petitioner is eligible for MA-Plan First effective August 1, 2025.

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7. The Department representative testified at hearing that Petitioner was eligible for Medicare Cost Share with no gap in benefit.
  8. The Department representative testified at hearing and submitted an Eligibility Summary showing that Petitioner's Freedom to Work Medicaid was reinstated because he requested a hearing within 10 days of the Department action.
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### **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.

Send a case action notice when: • The client indicates refusal to provide a verification, or • The time period given has elapsed. BAM 130 (May 2024)

In this case, Petitioner's Medicare Cost Share was approved and his Freedom to Work Medicaid was reinstated because his hearing request was filed within 10 days of the Department action pursuant to BAM 600. The Department representative testified that updated employment income verifications were needed. However, Petitioner provided check stubs on April █ 2025, and none of the subsequent verification checklists requested income verifications. Therefore, there was no basis to close Petitioner's Freedom to Work Medicaid for failing to verify employment income. BAM 130

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## **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 failed to satisfy its burden of showing that it acted in accordance with Department policy when it closed Petitioner's MA Freedom to Work for failing to verify income.

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:

1. Reinstate Petitioner's Freedom to Work going back to the date of closure.



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**AARON MCCLINTIC**  
**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.

**Via Electronic Mail:**

**Respondent**

KENT COUNTY DHHS  
121 MARTIN LUTHER KING JR ST SE  
STE 200  
GRAND RAPIDS, MI 49507  
**MDHHS-KENT-  
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**Via First Class Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]