



**Date Mailed:** September 5, 2025

**Docket No.:** 25-025111

**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.

[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]

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**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 August 6, 2025. Petitioner appeared and was represented by [REDACTED] Authorized Hearing Representative (AHR). A representative from the Michigan Department of Health and Human Services (MDHHS or Department) was not present and the hearing proceeded in the absence of the Department.

### **ISSUE**

Did the Department properly determine Petitioner's eligibility for Medical Assistance (MA) and Medicare Savings Program (MSP) benefits?

### **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 MA and MSP benefits.
2. In connection with a redetermination, Petitioner's eligibility was reviewed.
3. Petitioner was previously receiving Supplemental Security Income (SSI). Effective July 1, 2025, Petitioner's SSI was terminated and she began receiving Retirement Survivors Disability Insurance (RSDI) benefits.
4. On or around June 18, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice (Notice) advising that effective July 1, 2025, her MA and MSP cases would be closed because she failed to return the redetermination.
5. On or around June 26, 2025, Petitioner requested a hearing disputing the Department's actions and the information contained in the June 18, 2025, Notice.

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## CONCLUSIONS OF LAW

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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.

In this case, Petitioner disputed the Department's determination that she was ineligible for MA and MSP benefits effective July 1, 2025, due to a failure to return a redetermination as referenced in the June 18, 2025, Notice.

The Department must periodically redetermine or renew an individual's eligibility for active programs. The redetermination/renewal process includes a thorough review of all eligibility factors. Redetermination, renewal, semi-annual and mid-certification forms are often used to redetermine eligibility of active programs. For MA cases, a redetermination is an eligibility review based on a reported change. A renewal is the full review of eligibility factors completed annually. The renewal month is 12 months from the date the most recent complete application was submitted. BAM 210 (October 2023), pp. 1-4. For MA cases, benefits stop at the end of the benefit period unless a renewal is completed, requested verifications are received and a new benefit period is certified. BAM 210, pp. 3-5. The Department will provide the client with timely notice of the negative action if the time limit is not met. BAM 210, p. 14. The Department will send a DHS-1606, Health Care Coverage Determination Notice, which details the information used to determine eligibility. BAM 210, p. 19-20.

At the hearing, the undersigned read the Hearing Summary prepared by the Department in response to Petitioner's request for hearing into the hearing record. According to the Hearing Summary, Petitioner's MA and MSP cases were closed effective July 1, 2025, because she failed to return a redetermination. Although the Hearing Summary was read into the record, the Department was not present for the hearing and thus, did not present any evidence in support of the processing of Petitioner's MA and MSP eligibility or in support of its position that a redetermination form was mailed to Petitioner and not returned. Because the Department was not present for the hearing, there was no evidence presented in support of its determination that Petitioner was ineligible for MA or MSP benefits due to a failure to return a redetermination.

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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 because the Department failed to appear for the hearing, the Department failed to satisfy its burden of showing that it acted in accordance with Department policy when it closed Petitioner's MA and MSP cases effective July 1, 2025.

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. Redetermine Petitioner's MA and MSP eligibility under the most beneficial category for July 1, 2025, ongoing;
2. If eligible, provide Petitioner with MA and MSP coverage under the most beneficial category, that she was entitled to receive but did not from June 1, 2025, ongoing; and
3. Notify Petitioner and her AHR in writing of its decision.

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*Zainab Baydoun*  
**ZAINAB A BAYDOUN**  
**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](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**  
OAKLAND COUNTY DHHS - MADISON HTS DIST  
30755 MONTPELIER DR  
MADISON HTS, MI 48071  
**MDHHS-OAKLAND-DISTRICTII-HEARINGS@MICHIGAN.GOV**

**Via**  
**First Class Mail:**

**Petitioner**  
[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]

**Authorized Hearing Rep**  
[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]