



Date Mailed: August 19, 2025
Docket No.: 25-026231
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [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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Docket No.: 25-026231

Case No.: [REDACTED]

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; 42 CFR 438.400 to 438.424; 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 by telephone on August 13, 2025. Petitioner appeared and represented himself. The Department of Health and Human Services (Department) was represented by Rebecca Scott, Assistance Payments Supervisor. Robin Thomas, a friend of Petitioner's, was sworn in as a witness.

ISSUE

Did the Department properly determine Petitioner's Food Assistance Program (FAP) eligibility?

Did the Department properly determine Petitioner's Medicaid (MA) and Medicare Savings Program (MSP) eligibility?

FINDINGS OF FACT

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

1. Since July 1, 2023, Petitioner has been a recipient of Supplemental Security Income (SSI).
2. Petitioner's MA case is assigned Department Case No. [REDACTED].
3. On April 4, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) that notified Petitioner that his MA coverage under Healthy Michigan Plan (HMP) was closed effective May 1, 2025.
4. On April 10, 2025, the Department sent Petitioner a HCCDN that notified him that he was approved for full coverage MA effective May 1, 2025. (Exhibit B, pp. 1 – 3).
5. On May 28, 2025, the Department sent Petitioner a HCCDN that notified him that he was approved for Medicare Savings Program (MSP) effective July 1, 2025. (Exhibit A, pp. 22 – 23).

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6. On June 3, 2025, the Department obtained a State Online Query (SOLQ) report from the Social Security Administration (SSA) that confirmed that effective July 1, 2025, Petitioner would have Medicare Part B coverage.
 7. On June 14, 2025, the Department sent Petitioner a HCCDN that notified him that he was denied MSP for the month of June 2025. (Exhibit A, pp. 5 – 6).
 8. On June 14, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that notified him that he was approved for FAP benefits in the amount of \$127 per month for a one-person FAP group effective July 1, 2025. (Exhibit A, pp. 10 – 11).
 9. On July 7, 2025, the Department received two requests for hearing from Petitioner. One request for hearing disputed the Department's denial of Petitioner for MA; the other request for hearing disputed the Department's denial of Petitioner for FAP benefits. (Exhibit A, pp. 4 – 14).
 10. On July 12, 2025, the Department sent Petitioner a NOCA that notified him that he was approved for FAP benefits of \$292 per month for a one-person FAP group effective July 1, 2025. (Exhibit A, pp. 17 – 18).

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 Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Department of Human Services) administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

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.

Petitioner requested a hearing to dispute the Department's denial of FAP benefits and MA coverage. The Department approved Petitioner for FAP benefits of \$292 per month

for a one-person FAP group effective July 1, 2025; full coverage MA effective May 1, 2025; and MSP effective July 1, 2025.

At the beginning of the hearing, Petitioner testified that his issue regarding his FAP benefits was resolved and requested to withdraw that portion of his request for hearing. The Department had no objection. Therefore, Petitioner's request for hearing as to FAP was dismissed. The hearing proceeded to address Petitioner's concerns regarding MA and MSP only.

Petitioner disputed the Department's denial of him for MA and MSP. The Department testified that because Petitioner became eligible for Medicare, it closed his HMP MA effective May 1, 2025, and approved Petitioner for full coverage AD-Care MA effective May 1, 2025. The Department also approved Petitioner for MSP effective July 1, 2025.

MA

Under federal law, an individual is entitled to the most beneficial category, which is the one that results in a) eligibility, b) the least amount of excess income, or c) the lowest cost share. BEM 105 (January 2024), p. 2. Clients, such as Petitioner, who are aged (65 or older), blind, or disabled Medicare recipients, and do not have dependent children, are eligible for MA under only SSI-related categories. 42 CFR 435.911; 42 CFR 435.100 to 435.172; BEM 105, p. 1. The AD-Care program is a Group 1, full-coverage, SSI-related MA program for individuals who are income-eligible based on their MA fiscal group size. BEM 163 (July 2017), p. 1.

The Department testified that Petitioner was previously approved for full coverage HMP MA. However, HMP MA is not available to individuals who have Medicare. BEM 137 (January 2024), p. 1. The Department's testimony and evidence established that once Petitioner became a Medicare recipient, the Department closed his HMP MA and approved him for AD-Care MA, with no lapse in coverage. As full coverage MA, AD-Care is the most beneficial category of MA for SSI-related MA. Therefore, the Department properly determined Petitioner's MA eligibility.

It is noted that Petitioner testified that he did not receive notice that he was approved for ongoing full coverage MA. On stipulation of the parties, the Department provided the undersigned Administrative Law Judge a copy of the HCCDN reflecting Petitioner's approval. The Department testified that it would also resend the HCCDN to Petitioner immediately following the hearing.

MSP

MSPs are SSI-related MA categories providing assistance with eligible individual's Medicare expense and are divided into four types: (i) Qualified Medicare Beneficiaries (QMB), (ii) Specified Low-Income Medicare Beneficiaries (SLMB), (iii) Q1 Additional Low-Income Medicare Beneficiaries (ALMB), and (iv) Non-Categorically Eligible Michigan Beneficiary (NMB). BEM 165 (July 2024), p. 1. Clients receiving AD-Care MA

and entitled to Medicare Part A are considered automatically eligible for MSP – QMB, which pays Medicare premiums, coinsurances, and deductibles. BEM 165, pp. 2 – 3.

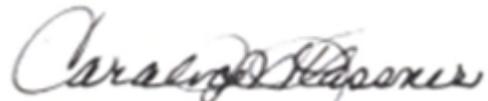
When a client is eligible for MSP – QMB coverage, the Department begins coverage the calendar month after the processing month, which is the month during which an eligibility determination is made. BEM 165, p. 4. MSP – QMB is not available for past months or the processing month. BEM 165, p. 4.

Here, the Department determined Petitioner was automatically eligible for MSP – QMB based on his eligibility for AD-Care MA. The Department testified that the first month of Petitioner’s Medicare coverage was July 2025, and there was no evidence offered to contradict the Department’s testimony. Because MSP – QMB pays only expenses related to Medicare, and the Department testified Petitioner’s Medicare began in July 2025, the first month Petitioner would be eligible for MSP – QMB was July 2025. Therefore, the Department properly determined Petitioner’s eligibility for MSP began July 1, 2025, and approved him for MSP effective on that date.

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 acted in accordance with Department policy when it determined Petitioner’s eligibility for MA and MSP.

Accordingly, Petitioner’s request for hearing as to FAP is **DISMISSED**, and the Department’s decisions as to MA and MSP are **AFFIRMED**.



CARALYCE M. LASSNER
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, **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:

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