



Date Mailed: October 2, 2025
Docket No.: 25-030797
Case No.: [REDACTED]
Petitioner: [REDACTED]



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

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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.: 25-030797

Case No.: [REDACTED]

Petitioner: [REDACTED]

DECISION AND ORDER

On August 28, 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 1, 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's authorized hearing representative, [REDACTED] appeared for Petitioner. Respondent Michigan Department of Health and Human Services (Department) had Appeals Review Officer John Lambert appear as its representative. Respondent had two witnesses: Adult Services Worker Shamika Mims and Adult Services Supervisor Kelly Williams. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 52-page packet of documents provided by the Department was admitted into evidence as Exhibit A.

ISSUE

Did the Department properly suspend and 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. Effective July 1, 2025, Petitioner was ineligible for full-coverage Medicaid; Petitioner was only eligible for Medicaid with a scope of coverage code of 1Y.
2. On June 30, 2025, the Department mailed a negative action notice to Petitioner to notify her that her Medicaid coverage no longer covered HHS. The Department notified Petitioner that her HHS was suspended as a result.
3. On July 14, 2025, the Department mailed a negative action notice to Petitioner to notify her that her Medicaid coverage no longer covered HHS. The Department notified Petitioner that her HHS was terminated as a result.

4. Petitioner requested a hearing to dispute the Department's decision.

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.

HHS is available if a client meets all eligibility requirements. ASM 105 (June 1, 2020), p. 1. One of the eligibility requirements is that a client must be Medicaid eligible. *Id.* at 1. A client is Medicaid eligible if the client has Medicaid with one of the following scope of coverage codes: 1F, 2F, 1D, 1K, 1T, 3G, 7W, or 8L. *Id.* Petitioner had Medicaid with a scope of coverage code of 1Y as of July 1, 2025. Thus, Petitioner was not Medicaid eligible as of July 1, 2025.

The Department is required to suspend HHS when a client's Medicaid has ended, and the change in Medicaid coverage appears to be temporary. ASM 170 (October 1, 2025), p. 1. The Department is required to terminate HHS when a client's Medicaid has ended, and the change in Medicaid coverage does not appear to be temporary. *Id.* at 2. The Department initially suspended Petitioner's HHS in case Petitioner's change in Medicaid coverage was temporary, and then the Department terminated Petitioner's HHS when Petitioner's Medicaid scope of coverage remained 1Y. The Department properly suspended and terminated Petitioner's HHS in accordance with ASM 170.

DECISION AND ORDER

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

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



JEFFREY KEMM
ADMINISTRATIVE LAW JUDGE

25-030797

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://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, **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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