

Date Mailed: December 11, 2025

Docket No.: 25-037203

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On October 2, 2025, Petitioner [REDACTED] requested a hearing to dispute a Medicaid denial. As a result, a hearing was scheduled to be held on December 10, 2025. Public assistance hearings are held 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; 45 CFR 205.10; and Mich Admin Code, R 792.11002. Petitioner appeared and represented herself. Respondent Michigan Department of Health and Human Services (Department) had Sheila Crittenden, Family Independence Manager/Hearings Coordinator, appear as its representative.

A 61-page packet of documents provided by the Department was admitted into evidence collectively as Exhibit A.

ISSUE

Did the Department properly determine Petitioner's Medicaid 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. On [REDACTED] 2025, Petitioner submitted an assistance application for healthcare coverage (HCC), food assistance program (FAP), and State Emergency Relief (SER) benefits for Petitioner based on a household size of 1.
2. On Petitioner's [REDACTED] 2025, application, Petitioner reported that Petitioner's husband does not live with Petitioner and checked the box indicating that Petitioner's husband was temporarily outside of the home.
3. On September 10, 2025, the Department mailed a verification checklist to Petitioner. The form instructed Petitioner to submit information to verify Petitioner's vendor pre-paid debt card and Petitioner's home ownership by September 22, 2025.
4. On September 15, 2025, Petitioner completed an interview with the Department and reported the following pertinent information:

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- a. Petitioner is separated from Petitioner's husband and that he moved out months ago and is unsure where he resides.
 - b. Petitioner and Petitioner's husband filed a joint tax return in 2024, but Petitioner does not think that they will file together for 2025.
 - c. Petitioner and Petitioner's husband jointly own the home that Petitioner resides in, and they split the monthly mortgage payment.
5. The Department reviewed previous benefit applications and interview guides for Petitioner and found that Petitioner's husband was reported to be in and out of the home over the past year. A Front-End Eligibility (FEE) investigation was also requested by the department worker.
 6. On September 16, 2025, Office of Inspector General (OIG) agent Doyle Owens spoke with Petitioner who reported the following pertinent information:
 - a. Petitioner's husband moved out of Petitioner's home in 2009 but returned to the home for a few months at the end of 2024 before leaving again.
 - b. Petitioner does not know where Petitioner's husband resides as Petitioner does not have contact with him.
 - c. Petitioner has no friends or family that is in contact with Petitioner's husband.
 - d. Petitioner leaves money in the mailbox each month for Petitioner's portion of the mortgage payment.
 - e. Petitioner's husband has continued to pay his portion of the mortgage on Petitioner's home because he has "...papers that he didn't want anyone to know about". When Agent Owens asked Petitioner to elaborate on this statement Petitioner was unable to do so.
 7. On September 17, 2025, a FEE report was finalized by Agent Owens who found that in addition to the information already reported by Petitioner a report from Consolidated Lead Evaluation and Reporting (CLEAR), The Work Number, Secretary of State (SOS), Judicial Data Warehouse (JDW), and voter registration show that Petitioner's husband has the same address as Petitioner since 2009. Further, voter records show that Petitioner's husband used Petitioner's address when he last voted on November 5, 2024. Property records also show that Petitioner and Petitioner's husband jointly own Petitioner's home.
 8. On September 17, 2025, a legislative inquiry was received from Petitioner asking the Department to review Petitioner's case.⁴

9. During the processing of Petitioner's application, the Department determined that Petitioner had assets exceeding the applicable limit(s) based on information reported to the Department by Petitioner and Petitioner's husband as follows:

a. Petitioner's husband

i. [REDACTED] – checking account

ii. [REDACTED] – 401k

b. Petitioner

i. [REDACTED] – prepaid vendor card

10. On September 23, 2025, the Department mailed a health care coverage determination notice to Petitioner. The notice informed Petitioner that the Department determined that Petitioner was ineligible for MSP because Petitioner's group exceeded the asset limit.

1. On October 2, 2025, Petitioner requested a hearing to dispute the Department's denial.

2. On October 10, 2025, the Department requested a Medicaid exception to not include Petitioner's husband in Petitioner's group as Petitioner reported that he does not reside in the home and only uses the address to receive his mail.

3. On October 16, 2025, the Department's eligibility policy section denied the October 10, 2025, request citing:

a. There is established department policy that applies to Petitioner case.

b. No new legal decision, law or regulation that is not official policy exists in this matter.

c. No evidence of hardship was provided.

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).

Medicaid is known as Medical Assistance (MA). The 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 administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

In this case, the Department found Petitioner ineligible for MA after the Department determined that Petitioner had assets exceeding the applicable limit(s) based on a group size of 2. Petitioner is disputing the Department's decision.

Based on the evidence presented, the Department properly determined that Petitioner's Medicaid group size is 2. The household for a tax filer who is not claimed as a tax dependent consists of the tax filer, the tax filer's spouse, and the tax filer's dependents. BEM 211 (October 1, 2023), p. 2. In this case, Petitioner's Medicaid group size is 2 because Petitioner is a tax filer; and Petitioner is married.

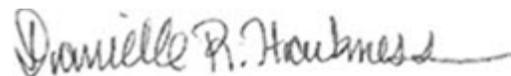
To be eligible for MSP coverage, a client's countable assets cannot exceed the applicable limit. BEM 165 (July 1, 2024), p. 8. The asset limit for MSP is \$14,470.00 for a group size of 2. BEM 400 (March 1, 2025), p. 8.

Petitioner's husband reported to the Department assets of [REDACTED] in a checking account and [REDACTED] in a 401k. Petitioner also reported an asset of [REDACTED] on a prepaid vendor card. The Department determined that Petitioner's countable assets were [REDACTED]. Here, the Department properly determined that Petitioner was ineligible for MSP because Petitioner's Medicaid group's assets exceeded the program limit.

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 its policies and the applicable law when it determined Petitioner's Medicaid eligibility.

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



DANIELLE R. HARKNESS
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 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
WEXFORD COUNTY DHHS
10641 W WATERGATE RD
CADILLAC, MI 49601
**MDHHS-WEXFORD-MISSAUKEE-
HEARINGS@MICHIGAN.GOV**

Via First Class Mail:

Petitioner
[REDACTED]
MI [REDACTED]