



**Date Mailed:** December 8, 2025  
**Docket No.:** 25-037976  
**Case No.:** [REDACTED]  
**Petitioner:** [REDACTED]

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

This is an important legal document. Please have someone translate the document.

هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

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

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

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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**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Christian Gardocki**

**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 telephone hearing was held via Microsoft Teams on December 3, 2025. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Anthony White, eligibility specialist.

**ISSUE**

The issue is whether MDHHS properly terminated Petitioner's Medical Assistance (MA) 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. As of August 2025, Petitioner was a disabled individual receiving ongoing MA benefits under the Disabled-Adult Child (DAC) category.
1. On an unspecified date, MDHHS received internal documentation detecting a checking and savings account for Petitioner at Citizen's Bank.
2. On August 23, 2025, MDHHS sent Petitioner a Verification Checklist (VCL) requesting by September 2, 2025, statements from Citizen's Bank of Petitioner's accounts.
3. On September 5, 2025, MDHHS mailed Petitioner notice of MA closure beginning October 2025 due to Petitioner not being any of the following: disabled, blind, pregnant under 21 years of age, over 65 years of age, and/or a caretaker of a minor child.
4. On October 20, 2025, Petitioner requested a hearing to dispute the termination of MA eligibility.

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## CONCLUSIONS OF LAW

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The MA program is established by Title XIX of the Social Security Act, 42 USC 1396 to 42 USC 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 to 42 CFR 430.25. MDHHS administers the MA program pursuant to 42 CFR 435, MCL 400.10 and MCL 400.103 to MCL 400.112k of the Social Welfare Act, MCL 400.1 *et seq.* MA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing to dispute a termination of MA benefits. Exhibit A, pp. 3-5. A Health Care Coverage Determination Notice dated September 5, 2025, stated that Petitioner's MA eligibility would end October 2025 due to Petitioner not meeting any of the following circumstances relevant to MA eligibility: disabled, blind, pregnant under 21 years of age, over 65 years of age, or a caretaker of a minor child. Exhibit A, pp. 15-17.

Upon certification of eligibility results, MDHHS automatically notifies the client in writing of positive and negative actions by generating the appropriate notice of case action. BAM 220 (October 2025) p. 2. A Notice of Case Action must specify the following:

- The action taken by MDHHS
- The reason(s) for the action.
- The specific manual item which cites the legal base for an action or the regulation or law itself.
- An explanation of the right to request a hearing.
- The conditions for which benefits may be continued pending the hearing outcome.

Much of the hearing was spent discussing whether Petitioner timely verified assets. An Asset Detection Report indicated that Petitioner had a savings and checking account with Citizen's Bank. Exhibit A, pp. 10-12. MDHHS followed up by sending Petitioner a VCL on August 23, 2025, requesting Citizen's Bank account information. Exhibit A, pp. 13-14. The VCL due date for Petitioner to return verifications was September 2, 2025. *Id.* MDHHS contended that Petitioner's MA eligibility properly ended when Petitioner did not return requested verifications until November 25, 2025.

Petitioner responded that he did not receive the VCL; thus, he was unaware of the requirement to return verifications. Petitioner also testified his disability adversely affects his ability to timely return documents to MDHHS.

Ultimately, whether Petitioner timely returned documents to MDHHS is irrelevant. The reason for termination on the written notice stated that Petitioner's MA eligibility ended due to not meeting various circumstances to receive MA benefits. One of those stated circumstances was that Petitioner was not disabled. It was not disputed that Petitioner was disabled. Thus, the written notice for MA benefit termination was improper. Without

25-037976

proper written notice, the MA termination is properly reversed. As a remedy, Petitioner is entitled to a reinstatement of MA benefits.

### **DECISION AND ORDER**

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS improperly terminated Petitioner's MA eligibility. It is ordered that MDHHS commence the following actions within 10 days of the date of mailing of this decision:

- Reinstatement Petitioner's MA eligibility beginning October 2025 subject to the finding that MDHHS issued improper written notice of MA benefit termination; and
- Issue notice and supplements, if any, in accordance with policy.

The actions of MDHHS are **REVERSED**.

  
**CHRISTIAN GARDOCKI**  
**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

25-037976

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