

Date Mailed: December 23, 2025

Docket No.: 25-039290

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 hearing was held via Microsoft Teams on December 17, 2025. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Karen Smalls, supervisor. Ahmad ElSayed of Bloomberg & Associates initially participated as Arabic-English translator but ceased participation due to technical difficulties. Following the participation of Mr. ElSayed, Ramy Hafez of Propio participated as an Arabic-English translator.

ISSUE

The issue is whether MDHHS properly denied Petitioner’s application for Medical Assistance (MA) 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. On June 21, 2025, Petitioner applied for MA benefits and reported non-disability, non-pregnancy, being [REDACTED] years old, and no other persons in the household. Petitioner also reported being a non-citizen.
2. On June 23, 2025, MDHHS mailed Petitioner a Verification Checklist (VCL) requesting verification of alien status by September 22, 2025.
3. On September 25, 2025, MDHHS denied Petitioner’s MA application due to a failure to verify alien status.
4. On October 15, 2025, MDHHS received verification of Petitioner’s alien status.
5. On November 4, 2025, Petitioner requested a hearing to dispute the denial of MA benefits.

CONCLUSIONS OF LAW

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. MDHHS administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k. 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 denied application for MA benefits. Exhibit A, pp. 3-5. MDHHS testified that Petitioner applied for MA benefits on June 21, 2025.¹ A Health Care Coverage Determination Notice dated September 25, 2025, stated that Petitioner was denied due to failing to verify alien status. Exhibit A, pp. 6-8.

For all programs, MDHHS is to determine the status of each non-citizen requesting benefits at application. BEM 225 (November 2024) p. 1. The non-citizen status of each non-citizen requesting benefits must be verified. *Id.*, p. 20.

For all programs, MDHHS is to inform the client what verification is required, how to obtain it, and the due date. BAM 130 (May 2024) p. 3. MDHHS is to use a VCL to request verification. *Id.* For MA benefits, MDHHS is to allow the client 10 calendar days to provide the verification that is requested. *Id.*, p. 8. For MA benefits, MDHHS may send a negative action notice when:

- The client indicates refusal to provide a verification, or
- The time period given has elapsed. *Id.*

MDHHS testified it mailed Petitioner a VCL on June 23, 2025, requesting proof of Petitioner's alien status by September 22, 2025.² MDHHS testified that Petitioner did not return alien status verification to MDHHS until October 15, 2025: multiple weeks following application denial. Thus, MDHHS contended, it properly denied Petitioner's MA application dated June 21, 2025.

Petitioner did not dispute MDHHS's testimony. Petitioner testified that her tardiness in returning verification was caused by her language barriers. Petitioner's testimony was sincere, but ultimately not relevant to determining whether Petitioner timely returned properly requested verifications.

¹ Petitioner reapplied for MA benefits on October 20, 2025. Exhibit A, pp. 9-14. MDHHS testified that it denied this application on November 6, 2025. Because the denial occurred after Petitioner's hearing request dated November 4, 2025, the denial could not have been the subject of Petitioner's hearing request. Petitioner may separately request a hearing to dispute the denial of her application dated October 20, 2025.

² When asked if MDHHS routinely gives three months to return verifications, the testifying supervisor responded that MDHHS does for alien status verification.

Given the evidence, MDHHS properly requested proof of Petitioner's alien status. The evidence also established that Petitioner failed to timely return to MDHHS verifications. Thus, MDHHS properly denied Petitioner's application for MA benefits. Petitioner's recourse if MA benefits are needed is to reapply.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly denied Petitioner's application requesting MA benefits. dated June 21, 2025. The actions taken by MDHHS are **AFFIRMED**.



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. 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.

