

Date Mailed: January 8, 2026

Docket No.: 25-043414

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On November 7, 2025, Petitioner [REDACTED] requested a hearing to dispute a Medical Assistance (MA) and a State Emergency Relief Assistance (SER) determination. Following Petitioner's hearing request, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, 7 CFR 273.15, and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on January 7, 2026. Petitioner appeared and represented himself. Respondent, Department of Health and Human Services (Department), had DeVona Gilbert, Hearing Facilitator, appear as its representative.

A 72-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

ISSUES

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

Did the Department properly determine Petitioner's request for SER assistance with water/sewer expenses?

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 March 20, 2025, a Health Care Coverage Determination Notice was issued finding Petitioner ineligible for MSP coverage due to not meeting the basic criteria for the MSP program and approving Petitioner for limited coverage MA through the Plan First program beginning April 1, 2025.
2. On April 21, 2025, a Health Care Coverage Determination Notice was issued finding Petitioner ineligible for MSP coverage due to exceeding the income limit beginning April 1, 2025.
3. On July 25, 2025, a Health Care Coverage Determination Notice was issued finding Petitioner ineligible for MSP coverage due to exceeding the income limit beginning May 1, 2025.

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4. On September 9, 2025, Petitioner applied for SER assistance of \$459.25 for water/sewage expenses.
 5. On September 9, 2025, a SER Decision Notice was issued informing Petitioner that the Department will pay \$52.00 for deposit/reconnect fees with a \$0.00 payment from Petitioner. The SER Decision Notice also advised Petitioner that the Department will pay \$0.30 for water/sewage with a \$379.12 payment from Petitioner due to Petitioner reaching the available cap.
 6. On November 7, 2025, Petitioner requested a hearing to appeal the Department's MA and SER determinations.
 7. On December 11, 2025, a Hearing Request Withdrawal was submitted by Petitioner requesting a hearing to appeal the Department's MA determination from March through July 2025.
 8. On December 15, 2025, an order denying Petitioner's December 11, 2025, request was issued by the Michigan Office of Administrative Hearings and Rules.

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).

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.

At the January 7, 2026, hearing, Petitioner testified that Petitioner is disputing the Department's denial of full coverage MA under the MSP from March through July 2025. Ms. Gilbert testified that on March 20, April 21, and July 25, 2025, a Healthcare Coverage Determination Notice was mailed to Petitioner finding Petitioner ineligible for MSP benefits during the months Petitioner is disputing.

A request for hearing must be in writing and signed by an adult member of the eligible group, adult child, or authorized hearing representative (AHR). Department of Health and Human Services Bridges Administrative Manual (BAM) 600 (July 1, 2025), p. 2. Moreover, BAM 600, p. 6, provides that a request for hearing must be received in the Department local office within 90 days of the date of the written notice of case action in

dispute. Hearings may be requested if a claim for assistance is denied or is not acted upon with reasonable promptness, benefits are reduced or suspended, the current level of FAP or CDC benefits are disputed, a service program is denied or restricted, or the recipient's choice of service is not taken into account. Mich Admin Code, R 792.11002; BAM 600, p. 5.

In the present case, no evidence was presented by Petitioner that Petitioner's November 7, 2025, hearing request was timely. The Healthcare Coverage Determination Notice that responded to Petitioner's request for MA benefits was issued on March 20, April 21, and July 25, 2025, and Petitioner did not request a hearing within 90 days from the date of the notice.

Therefore, Petitioner's hearing request disputing the March 20, April 21, and July 25, 2025, Healthcare Coverage Determination Notice is **DISMISSED** for lack of jurisdiction.

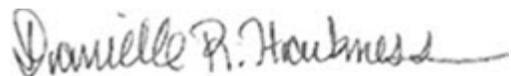
SER

The SER program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

At the hearing, Petitioner indicated that Petitioner did not wish to proceed with a hearing regarding SER benefits. The Department had no objection. Therefore, Petitioner's request for hearing concerning Petitioner's SER benefits is **DISMISSED**.

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 Petitioner's hearing request disputing the March 20, April 21, and July 25, 2025, Healthcare Coverage Determination Notice is **DISMISSED** for lack of jurisdiction.



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://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.

Via Electronic Mail:

Respondent
SAGINAW COUNTY DHHS
411 E GENESEE AVE
PO BOX 5070
SAGINAW, MI 48607
MDHHS-SAGINAW-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner
[REDACTED]
[REDACTED] MI [REDACTED]