



Date Mailed: February 3, 2026
Docket No.: 25-045096
Case No.: [REDACTED]
Petitioner: [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]

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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; 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 telephone conference on January 6, 2026. Petitioner was represented by attorney Robert Mannor. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Assistant Attorney General, Lindsey Lavine. Department Exhibit 1, pp. 1-66 was received and admitted.

ISSUE

Did the Department properly process Petitioner's Long Term Medicaid (MA-LTC) application?

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 October [REDACTED] 2025, Petitioner applied for MA-LTC by submitting an application via fax.
2. On November [REDACTED] 2025, Petitioner requested a hearing alleging that the Department had not processed the October [REDACTED] 2025, application in accordance with the standard of promptness.
3. The Department attempted to locate the October [REDACTED] , 2025, application but they were not able to find it.
4. Petitioner provided a fax confirmation showing that the application was submitted by fax on October [REDACTED] 2025.

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).

The Medical Assistance (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 (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

STANDARD OF PROMPTNESS

SDA, RCA, RMA and MA Only

Certify program approval or denial of the application within 45 days. Bridges automatically generates the client notice. BAM 115

In this case, on October █ 2025, Petitioner applied for MA-LTC by submitting an application by fax. Petitioner's attorney's office had previously been told that submitting applications by fax was the Department's preferred method. On November █ 2025, after not receiving a determination on the application, Petitioner requested a hearing alleging that the application had not been processed within the 45-day standard of promptness. The Department attempted to locate the application, but they were unable to do so. Petitioner's attorney provided a fax confirmation showing that the application was filed by fax on October █ 2025. That fax confirmation was sufficient proof to establish that an application was filed on October █ 2025. The Department failed to process the October █ 2025 application within the 45-day standard of promptness and the application should be processed as soon as possible.

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 did not act in accordance with Department policy when it failed to process Petitioner's October 1, 2025, MA-LTC application.

Accordingly, the Department's decision is **REVERSED**.

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Reinstatement and reprocess Petitioner's October 1, 2025, MA-LTC application going back to the date of application.
2. Activate MA-LTC if Petitioner is found to be eligible.



AARON MCCLINTIC
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 First Class-Electronic Mail:

Petitioner Representative
ROBERT D MANNOR
MANNOR LAW GROUP
8226 S SAGINAW ST STE A
GRAND BLANC, MI 48439
bob@mannonlaw.com

Via Electronic Mail:

Respondent
MACKINAC COUNTY DHHS
199 FERRY LANE
ST IGNACE, MI 49781
MDHHS-
906EUPHEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

[REDACTED]
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