

**Date Mailed:** January 30, 2026

**Docket No.:** 25-045097

**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 January 28, 2026. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Princess Ogundipe, supervisor.

**ISSUE**

The issue is whether MDHHS properly determined Petitioner's Medical Assistance (MA) eligibility.

**FINDINGS OF FACT**

The administrative law judge, based on competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of September 2025, Petitioner received ongoing full-coverage MA benefits.
2. As of October 3, 2025, Petitioner had liquid assets totaling \$12,775.63.
3. As of October 2025, Petitioner received gross monthly Retirement, Survivors and Disability Insurance (RSDI) of [REDACTED]
4. As of November 2025, Petitioner was over [REDACTED] years of age and a Medicare recipient.
5. As of November 2025, Petitioner was neither married, pregnant nor a caretaker to a minor child.
6. On November 14, 2025, MDHHS determined Petitioner to be eligible only for the limited-coverage MA category of Plan First. (PF).
7. On November 26, 2025, Petitioner requested a hearing to dispute Medicaid eligibility.

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## 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 Medicaid eligibility. Exhibit A, pp. 4-7. A Health Care Coverage Determination Notice dated November 14, 2025, stated that Petitioner was eligible for the limited-coverage MA category of PF beginning December 2025.<sup>1</sup> Exhibit A, pp. 9-13. MDHHS testified that Petitioner was denied Medicaid eligibility under other MA categories due to excess assets. To determine if MDHHS properly determined Petitioner's Medicaid eligibility, an analysis of MA categories must be considered.

Medicaid is also known as MA. BEM 105 (October 2023) p. 1. The MA program includes several sub-programs or categories. *Id.* To receive MA under a Supplemental Security Income (SSI)-related category, the person must be aged (65 or older), blind, disabled, entitled to Medicare or formerly blind or disabled. *Id.* Medicaid eligibility for children under 19, parents or caretakers of children, pregnant or recently pregnant women, former foster children, MOMS, MICHild and Healthy Michigan Plan is based on Modified Adjusted Gross Income (MAGI) methodology.<sup>2</sup> *Id.*

Persons may qualify under more than one MA category. *Id.*, p. 2. Federal law gives them the right to the most beneficial category. *Id.* The most beneficial category is the one that results in eligibility, the least amount of excess income or the lowest cost share. *Id.*

MA categories are also split into categories of Group 1 and Group 2. *Id.*, p. 1. For Group 1, a group's net income must be at or below a certain income level for eligibility. *Id.* Group 2 categories are considered a limited benefit (not limited coverage) because a deductible is possible. *Id.*

The evidence established that Petitioner turned ■ years in ■ 2025. The evidence also established that Petitioner became a Medicare recipient that same

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<sup>1</sup> Plan First is a MAGI-related limited-coverage MA category available to any United States citizen or individual with a qualified immigration status. BEM 124 (July 2023) p. 1. Plan First coverage is a "limited-coverage" because it only covers family planning services such as birth control (see form DCH-2840-MSA).

<sup>2</sup> Eligibility factors for all MA categories are found in the Bridges Eligibility Manual from BEM 105 through BEM 174.

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month. Petitioner was neither pregnant nor a caretaker to a minor child. Given the circumstances, Petitioner is ineligible for all MAGI-related categories. As a disabled and/or aged individual, Petitioner is potentially eligible to receive MA under the SSI-related Group 1 category of Aged/Disability-Care (AD-Care). AD-Care policies are found in BEM 163.

At all relevant times, Petitioner did not reside with a spouse. For purposes of AD-Care, Petitioner's group size is one. BEM 211 (October 2023) p. 8. Effective January 2025, the asset limit for an AD-Care group size of one is \$9,660. BEM 400 (October 2025) p. 8.

Assets must be considered in determining SSI-Related MA eligibility. p. 1 and 6. For SSI-related MA, all assets are countable (unless specifically excluded otherwise) including cash and retirement accounts. *Id.*, p. 3. Cash includes checking and savings accounts. *Id.*, pp. 1-2.

An asset must be available to be countable. *Id.*, p. 10. Available means that someone in the asset group has the legal right to use or dispose of the asset. *Id.*

MDHHS is to not count funds treated as income by a program as an asset for the same month for the same program. *Id.*, p. 25. Asset eligibility exists when the asset group's countable assets do not exceed the applicable asset limit at least one day during the month being tested. *Id.*, p. 3.

MDHHS received a savings and checking account statement from Petitioner for October 2025. The respective beginning balances were \$2,720.82 and \$10,557.09. The respective ending balances were \$3,773.88 and \$10,908.38. Exhibit A, pp. 16-17. It was not disputed that Petitioner had an IRA with an available balance of \$852.00.<sup>3</sup>

MDHHS presented an asset budget supporting how it calculated Petitioner's assets. Exhibit A, p. 20. MDHHS explained that it counted Petitioner's savings account ending balance from October 2025 (\$3,773.88), Petitioner's checking account ending balance (\$10,908.38) and Petitioner's IRA (\$852.00). MDHHS then subtracted Petitioner's gross monthly RSDI of [REDACTED] which was direct deposited into Petitioner's checking account. MDHHS calculated Petitioner's liquid assets as \$14,335.26. *Id.*

Notably, MDHHS did not utilize the lowest daily balance when calculating Petitioner's asset eligibility. As of October 1, 2025, Petitioner's savings and checking accounts had respective balances of \$2,720.82 and \$10,557.09; Petitioner's checking account balance reached a low of \$10,401.81 that same date. Adding Petitioner's IRA of \$852.00 creates a total asset amount of \$13,974.63. Subtracting Petitioner's RSDI of [REDACTED] results in assets totaling \$12,775.63: an amount still above the asset limit.

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<sup>3</sup> MDHHS excluded the value of Petitioner's homestead and vehicle from the asset calculation.

Petitioner testified he has cancer and has a significant need for Medicaid for upcoming medical appointments and procedures. Petitioner's testimony was credible but does not allow MDHHS to issue Medicaid when Petitioner is above the asset limit.

Given the evidence, MDHHS properly determined that Petitioner exceeded the asset limit for SSI-Related MA benefits. As such, MDHHS properly determined that Petitioner was only eligible for the limited coverage MA category of PF.<sup>4</sup> As discussed during the hearing, Petitioner can receive an updated MA determination from MDHHS upon a change in his assets.

### **DECISION AND ORDER**

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly determined Petitioner to be eligible for PF beginning December 2025. The actions of MDHHS are **AFFIRMED**.



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**CHRISTIAN GARDOCKI**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>4</sup> PF does not have an asset test (see BEM 124).

**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](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

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.



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