

**Date Mailed:** January 27, 2026

**Docket No.:** 25-045762

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

### **DECISION AND ORDER**

On December 16, 2025, Petitioner [REDACTED] requested a hearing to dispute a Home Help Services (HHS) determination. As a result, a hearing was scheduled to be held on January 22, 2026. Medicaid services hearings are held pursuant to MCL 400.9 and 400.37; 42 CFR 431.200 to 431.250; 42 CFR 438.400 to 438.424; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared with her authorized hearing representative, [REDACTED]. Respondent Michigan Department of Health and Human Services (Department) had Appeals Review Officer Florence Scott-Emuakpor appear as its representative. Respondent had three witnesses: Adult Services Worker Genia Boynton, Adult Services Supervisor Anthony Clark, and Adult Services Supervisor Aurelia Edwards. An Arabic interpreter provided translation. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 44-page packet of documents provided by the Department was admitted into evidence as Exhibit A.

### **ISSUE**

Did the Department properly reduce Petitioner's Home Help Services (HHS) hours?

### **FINDINGS OF FACT**

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Petitioner is an HHS recipient.
2. Petitioner was approved for 79 hours and 45 minutes of HHS per month.
3. The 79 hours and 45 minutes of HHS that Petitioner was approved for consisted of the following time and task:
  - a. Bathing: 16 minutes each day at 7 days per week for a total of 8 hours and 2 minutes per month.
  - b. Dressing: 14 minutes each day at 7 days per week for a total of 7 hours and 1 minute per month.

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- c. Eating: 10 minutes each day at 7 days per week for a total of 5 hours and 1 minute per month.
  - d. Grooming: 10 minutes each day at 3 days per week for a total of 2 hours and 9 minutes per month.
  - e. Mobility: 14 minutes each day at 7 days per week for a total of 7 hours and 1 minute per month.
  - f. Toileting: 22 minutes each day at 7 days per week for a total of 11 hours and 2 minutes per month.
  - g. Transferring: 10 minutes each day at 7 days per week for a total of 5 hours and 1 minute per month.
  - h. Housework: 35 minutes each day at 1 day per week for a total of 2 hours and 30 minutes per month.
  - i. Laundry: 42 minutes each day at 1 day per week for a total of 3 hours and 1 minute per month.
  - j. Medication: 8 minutes each day at 7 days per week for a total of 4 hours and 1 minute per month.
  - k. Meal preparation: 40 minutes each day at 7 days per week for a total of 20 hours and 4 minutes per month.
  - l. Shopping for food/medications: 28 minutes each day at 2 days per week for a total of 4 hours and 1 minute per month.
  - m. Travel for shopping: 6 minutes each day at 2 days per week for a total of 52 minutes per month.
4. On November █, 2025, an adult services worker went to Petitioner's home to complete a comprehensive assessment. The adult services worker met with Petitioner and her HHS provider, █, in Petitioner's home. The adult services worker observed Petitioner and asked her about her need for assistance. Petitioner's HHS provider translated so the adult services worker could communicate with Petitioner. The adult services worker observed Petitioner walk independently and transfer positions independently. Petitioner did not report that she was using any adaptive equipment, and the adult services work did not observe any adaptive equipment. Petitioner reported that she was able to groom, toilet, dress, take medications, and eat independently. For bathing, Petitioner reported that she only needed help getting in and out of the tub.

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- The adult services worker concluded that Petitioner did not need any hands-on assistance with grooming, dressing, eating, toileting, medications, mobility, and transferring. The adult services worker also concluded that Petitioner's need for hands-on assistance with bathing was less than what she had been approved for.
5. The adult services worker determined that Petitioner should only be approved for 32 hours and 58 minutes of HHS per month.
  6. The 32 hours and 58 minutes of HHS that the adult services worker determined Petitioner should be approved for consisted of the following time and task:
    - a. Bathing: 5 minutes each day at 7 days per week for a total of 2 hours and 30 minutes per month.
    - b. Housework: 35 minutes each day at 1 day per week for a total of 2 hours and 30 minutes per month.
    - c. Laundry: 42 minutes each day at 1 day per week for a total of 3 hours and 1 minute per month.
    - d. Meal preparation: 40 minutes each day at 7 days per week for a total of 20 hours and 4 minutes per month.
    - e. Shopping for food/medications: 28 minutes each day at 2 days per week for a total of 4 hours and 1 minute per month.
    - f. Travel for shopping: 6 minutes each day at 2 days per week for a total of 52 minutes per month.
  7. On November 17, 2025, the Department mailed a negative action notice to Petitioner to notify her that she was approved to receive 32 hours and 58 minutes of HHS per month, effective December 1, 2025.
  8. Petitioner requested a hearing to dispute the Department's decision.

### **CONCLUSIONS OF LAW**

The Medical Assistance Program (MA) is established pursuant to Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). It is administered in accordance with state statute, the Administrative Code, and the State Plan under Title XIX of the Social Security Act Medical Assistance Program.

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Home Help Services (HHS) are provided to enable functionally limited individuals to live independently and receive care in the least restrictive, preferred settings. These activities must be certified by a health professional and may be provided by individuals or by private or public agencies.

In order to be eligible for HHS, an individual must have a need for services based on a comprehensive assessment indicating a need for hands-on assistance with at least one activity of daily living (ADL) or a need for complex care. ASM 120 (October 1, 2025), p. 3. Those activities known as ADLs are eating, toileting, bathing, grooming, dressing, transferring, and mobility. *Id.* at 2-3. Complex care includes care such as catheters, bowel programs, specialized skin care, suctioning, range of motion exercises, wound care, respiratory treatments, ventilators, and injections. *Id.* at 4-5.

The comprehensive assessment is the Department's primary tool for determining a client's need for services. *Id.* at 1. Although a medical professional may certify a client's need for services, it is the Department who determines whether there is a need for services through its comprehensive assessment. ASM 115 (October 1, 2025), p. 2. During the assessment, the Department documents a client's abilities and needs in order to determine the client's ability to perform activities. ASM 120 at 2.

The comprehensive assessment must be periodically updated. It must be updated as often as necessary, but minimally at the six-month review. *Id.* at 1. In this case, the Department completed a periodic review of Petitioner's comprehensive assessment, and the Department determined that Petitioner's HHS hours should be reduced. Petitioner is disputing the Department's decision to reduce her HHS hours.

The Department met with Petitioner in her home to complete a periodic review of Petitioner's comprehensive assessment. During the home visit, the Department observed Petitioner walk independently and transfer positions independently. Petitioner reported that she was able to groom, toilet, dress, take medications, and eat independently. For bathing, Petitioner reported that she only needed help getting in and out of the tub. Based on the information that the Department gathered, the Department determined that Petitioner no longer needed hands-on assistance with grooming, dressing, eating, toileting, medications, mobility, and transferring. Additionally, the Department determined that Petitioner's need for hands-on assistance with bathing was less than what she had been approved for.

The Department completed Petitioner's comprehensive assessment in accordance with ASM 120. The Department properly determined that Petitioner no longer had a need for hands-on assistance with grooming, dressing, eating, toileting, medications, mobility, and transferring. Additionally, the Department properly determined that Petitioner's need for hands-on assistance with bathing was less than what she had been approved for.

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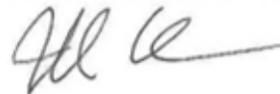
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The Department properly determined that Petitioner's HHS hours should be reduced to 32 hours and 58 minutes of HHS per month, and Petitioner did not present sufficient evidence to establish that the Department's reduction should be reversed. Accordingly, the Department's decision to reduce Petitioner's HHS hours to 32 hours and 58 minutes per month is affirmed. If Petitioner's needs have changed, then Petitioner may notify the Department and request an updated comprehensive assessment.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, decides that the Department properly reduced Petitioner's HHS hours.

**IT IS ORDERED** that the Department's decision is **AFFIRMED**.



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**JEFFREY KEMM**  
**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://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 [LARA-MOAHR-DCH@michigan.gov](mailto:LARA-MOAHR-DCH@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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**Petitioner**

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