



Date Mailed: January 26, 2026

Docket No.: 25-046294

Case No.: [REDACTED]

Petitioner: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

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Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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Petitioner: [REDACTED] [REDACTED]

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 15, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Avery Smith, Assistance Payment Supervisor.

ISSUE

Did the Department properly determine Petitioner's eligibility for Medicare Savings Program (MSP) 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. Petitioner was an ongoing recipient of MSP Additional Low-Income Medicare Beneficiaries (ALMB) benefits.
2. Petitioner is a fiscal group size of one.
3. Petitioner receives Retirement, Survivors and Disability Insurance (RSDI) income.
4. Petitioner has no other income.
5. On November [REDACTED] 2025, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) that informed Petitioner he was not eligible for MSP benefits effective November 1, 2025 ongoing due to excess income. Exhibit A, pp. 9-11.
6. On December 8, 2025, the Department received Petitioner's request for hearing disputing the income amount the Department budgeted when it determined his MSP eligibility. Exhibit A, pp. 3-8.

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.

In this case, Petitioner disputed the Department's determination that he was not eligible for MSP benefits due to excess income.

MSP is an SSI-related MA category where the Department pays for certain Medicare expenses for eligible individuals. BEM 165 (July 2024) p. 1. Four different subcategories are available under MSP. Qualified Medicare Beneficiaries (QMB) coverage pays for a client's Medicare premiums, coinsurances, and deductibles. BEM 165, p. 2. Specified Low Income Beneficiaries (SLMB) coverage pays for a client's Medicare Part B premium. *Id.* Additional Low-Income Beneficiaries (ALMB) coverage pays for a client's Medicare Part B premium if MDHHS funding is available. *Id.* Non-Categorically Eligible Michigan Beneficiary (NMB) coverage pays for the Medicare Part B premiums (and the part A premiums for the few who have them) for full coverage MA beneficiaries not otherwise eligible for MSP. *Id.*

The client's income determines the MSP subcategory eligibility. BEM 165, p. 8 and RFT 242 (April 2024), p. 1. For MSP eligibility, the Department is to determine countable income according to the SSI-related MA policies in BEM 165, 500, 501, 502, 503, 504 and 530. BEM 165, p. 8. For purposes of MSP, Petitioner, who is not married, is a group of one. BEM 211 (October 2023), p. 5. Income eligibility exists for MSP when net income is within the limits in RFT 242. BEM 165, p. 8. The highest income limit for any MSP category for a group size of one is \$1,781.00. RFT 242 (April 2025) p. 1; BEM 165, p. 8.

Here, the Department testified that Petitioner's monthly RSDI income was \$ [REDACTED]. Petitioner disputed this amount. The Department testified that it previously retrieved this amount from the State Online Query (SOLQ) platform but was unable to access the SOLQ during the hearing. Petitioner testified that his gross monthly RSDI income is only \$ [REDACTED] and that he previously disputed the Department's determination of his income. Petitioner explained that in November of 2024, he had a prehearing conference

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with the Department because, at that time, the Department had informed him that he was not eligible for MSP benefits. Based on this information, during the hearing, the Department accessed the prior hearing packet from the November 2024 prehearing conference. The Department indicated that in November of 2024, Petitioner's monthly RSDI income was \$██████████. Petitioner testified that \$██████████ was accurate at that time, but that it had increased to \$██████████ in early 2025 and he had notified the Department of the change. The Department confirmed that it received two change reports from Petitioner, dated January █████ 2025 and September █████ 2025, wherein Petitioner reported his RSDI income increased to \$██████████ per month.

The Department made multiple attempts but could not access the SOLQ to verify the disputed RSDI income. Petitioner's testimony was credible regarding both the November 2024 income dispute and his submission of 2025 income change reports. Based on the evidence and testimony presented and the unavailability of the SOLQ during the hearing, the Department did not establish that it budgeted the correct amount of RSDI income when it determined Petitioner's eligibility for MSP benefits.

Because Petitioner's RSDI income could not be established, the Department did not satisfy its burden of showing that it acted in accordance with Department policy when it determined Petitioner's eligibility for MSP benefits.

DECISION AND ORDER

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. Redetermine Petitioner's eligibility for MSP benefits for November 1, 2025 ongoing in accordance with policy;
2. If eligible for MSP benefits, provide Petitioner with benefits for November 1, 2025 ongoing; and
3. Notify Petitioner of its decision in writing.



JULIA NORTON
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

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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:

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Via First Class Mail:

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