



Date Mailed: February 3, 2026
Docket No.: 25-048042
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [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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Docket No.: 25-048042

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On December 22, 2025, Petitioner [REDACTED] requested a hearing to dispute a Medicaid determination. As a result, a hearing was scheduled to be held on January 29, 2026. Public assistance hearings are held 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; 45 CFR 205.10; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared and represented himself. Respondent Michigan Department of Health and Human Services (Department) had Family Independence Manager Michael Butler appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 13-page packet of documents provided by the Department was admitted collectively as Exhibit A.

ISSUE

Did the Department properly determine Petitioner's spouse's Medicaid eligibility?

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's birth date is [REDACTED] 1963.
2. Petitioner is not qualified to receive Medicare.
3. Petitioner is married.
4. Petitioner's spouse's birth date is [REDACTED] 1968.
5. Petitioner's spouse is not qualified to receive Medicare.
6. Petitioner and his spouse file a joint income tax return.
7. In October 2025, the Department redetermined Petitioner's spouse's Medicaid eligibility.

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8. The Department determined Petitioner's spouse's Medicaid eligibility based on a group size of one.
 9. On October 27, 2025, the Department mailed a health care coverage determination notice to Petitioner to notify Petitioner's spouse that she was only eligible for limited-coverage Medicaid through Plan First. The determination notice also notified Petitioner that he was eligible for full-coverage Medicaid.
 10. Petitioner requested a hearing to dispute Petitioner's spouse's Medicaid eligibility.

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).

Medicaid is known as Medical Assistance (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.

In this case, Petitioner requested a hearing to dispute his spouse's Medicaid coverage because the Department determined that Petitioner's spouse was ineligible for full-coverage Medicaid. The issue is whether the Department properly determined Petitioner's spouse's Medicaid eligibility. Based on the evidence presented, the Department used the incorrect group size when it determined Petitioner's spouse's Medicaid eligibility, so the Department did not properly determine Petitioner's spouse's Medicaid eligibility.

Petitioner's spouse was potentially eligible for full-coverage Medicaid through the Healthy Michigan Plan because she was aged 19-64, and she was not qualified to receive Medicare. Therefore, the Department should have determined Petitioner's spouse's eligibility for full-coverage Medicaid through the Healthy Michigan Plan by using a group size based on tax dependency rules. BEM 211 (October 1, 2023), pp. 1-2. The Department did not properly determine Petitioner's spouse's group size because the Department did not determine Petitioner's spouse's group size based on tax dependency rules. The Department erroneously used a group size of only one. Accordingly, the Department did not properly determine Petitioner's spouse's Medicaid eligibility.

The Department's decision is reversed. This does not mean that Petitioner's spouse is eligible for full-coverage Medicaid. Rather, this means that the Department must

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redetermine Petitioner's spouse's eligibility for full-coverage Medicaid through the Healthy Michigan Plan, effective October 1, 2025, by using the correct group size based on the tax dependency rules in BEM 211. If the Department needs additional information to redetermine Petitioner's spouse's Medicaid eligibility, the Department must give Petitioner an opportunity to provide it before the Department determines Petitioner's spouse's Medicaid eligibility.

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 its policies and the applicable law when it determined Petitioner's spouse's Medicaid eligibility.

IT IS ORDERED that the Department's decision is **REVERSED**. The Department must redetermine Petitioner's spouse's eligibility for full-coverage Medicaid through the Healthy Michigan Plan, effective October 1, 2025, by using the correct group size based on the tax dependency rules in BEM 211. If the Department needs additional information to redetermine Petitioner's spouse's Medicaid eligibility, the Department must give Petitioner an opportunity to provide it before the Department determines Petitioner's spouse's Medicaid eligibility. The Department must begin to implement this order within 10 days of the mailing date of this hearing decision.



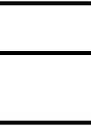
JEFFREY KEMM
ADMINISTRATIVE LAW JUDGE

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. 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
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
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Via First Class Mail:

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