

ISSUE

Did the Department properly deny Petitioner's request for Home Help Services (HHS)?

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 requested HHS from the Department.
2. Petitioner submitted a medical needs form completed by her medical provider. The medical needs form certified that Petitioner had a need for personal care activities, and the following personal care activities were marked: meal preparation, shopping, laundry, and housework. The medical needs form did not certify that Petitioner had a need for assistance with any complex care services.
3. On January 27, 2026, an adult services worker visited Petitioner in her home to complete an assessment. Petitioner's cousin was present. The adult services worker observed Petitioner and asked Petitioner about her need for assistance. Petitioner did not report that she needed hands-on assistance with eating, toileting, bathing, grooming, dressing, transferring, or mobility. The adult services worker did not observe a need for hands-on assistance with eating, toileting, bathing, grooming, dressing, transferring, or mobility. Petitioner did not report that she needed assistance with any complex care services. The adult services worker did not observe a need for assistance with any complex care services. The adult services worker concluded that Petitioner did not have a need for hands-on assistance with at least one activity of daily living. The adult services worker concluded that Petitioner did not need any complex care. The adult services worker concluded that Petitioner only had a need for hands-on assistance with instrumental activities of daily living.
4. On March 16, 2026, the Department mailed a negative action notice to Petitioner to inform Petitioner that her request for HHS was denied because she did not need hands-on assistance with at least one activity of daily living.
5. 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.

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.

In this case, the Department completed a comprehensive assessment, and the Department determined that Petitioner did not have a need for hands-on assistance with at least one ADL or a need for complex care, so the Department denied Petitioner's request for HHS. Petitioner is disputing the Department's decision to deny her request for HHS.

The Department met with Petitioner in her home to complete an assessment. The Department observed Petitioner and asked Petitioner about her need for assistance. Petitioner did not report that she needed hands-on assistance with eating, toileting, bathing, grooming, dressing, transferring, or mobility. The Department did not observe a need for hands-on assistance with eating, toileting, bathing, grooming, dressing, transferring, or mobility. Petitioner did not report that she needed assistance with any complex care services. The Department did not observe a need for assistance with any complex care services. Based on all the information the Department gathered, the Department determined that Petitioner did not have a need for hands-on assistance with at least one ADL or a need for complex care. The Department determined that Petitioner only needed hands-on assistance with instrumental activities of daily living.

The Department completed Petitioner's comprehensive assessment in accordance with ASM 120, the Department determined that Petitioner did not meet the eligibility criteria for HHS in accordance with ASM 105, and the Department properly notified Petitioner that her request for HHS was denied in accordance with ASM 150. Petitioner did not present sufficient evidence to establish that the Department's decision should be reversed. Therefore, the Department's decision to deny Petitioner's request for HHS is affirmed.

DECISION AND ORDER

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

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