

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. On January 12, 2026, the Department received an HHS referral for Petitioner.
2. The Department received a medical needs form for Petitioner that was completed by her medical provider, Nurse Practitioner Laurena Schultz.
3. The Department reviewed the medical needs form and determined that it was incomplete because Section G was not completed. Section G asked, "do you certify the patient has a medical need for assistance with any of the personal care services such as bathing, dressing, eating, grooming, mobility, toileting, transferring?" It contained checkboxes to indicate yes or no, and neither checkbox was marked. The Department determined that the medical needs form did not certify that Petitioner had a medical need for personal care services.
4. On January 13, 2026, the Department mailed a new medical needs form to Petitioner with instructions to provide it to the Department by February 3, 2026.
5. The Department did not receive a new medical needs form for Petitioner by February 3, 2026.
6. On February 5, 2026, the Department mailed a negative action notice to Petitioner to notify her that her request for HHS was denied because the medical needs form the Department received was incomplete.
7. 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.

When the Department receives a referral for HHS, the Department sends an introduction letter and forms to the client. ASM 110 (October 1, 2025), p. 2. One of the forms that the Department sends with the introduction letter is a medical needs form. *Id.* A medical needs form is required in order to be eligible for HHS. ASM 105 (October 1, 2025), pp. 1-3. The medical needs form must be signed and dated by a Medicaid enrolled medical professional certifying a medical need for personal care services. ASM 115 (October 1, 2025), p. 2. The introduction letter gives the client 21 calendar days to return the completed forms to the Department. ASM 110 at 2.

In this case, the Department received an incomplete medical needs form for Petitioner. The medical needs form was incomplete because it did not certify that Petitioner had a medical need for personal care services. The Department then mailed a new medical needs form to Petitioner with instructions to provide it to the Department by February 3, 2026, and the Department did not receive a new medical needs form for Petitioner by February 3, 2026, so the Department denied Petitioner's request for HHS.

The Department acted in accordance with ASM 110 when it mailed an introduction letter and forms to Petitioner, the Department acted in accordance with ASM 110 when the Department gave Petitioner 21 calendar days to return the completed medical needs form to the Department, and the Department acted in accordance with ASM 150 when it notified Petitioner that her request for HHS was denied. 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. Petitioner may reapply.

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**.