

EFFECTIVE

October 15, 2012.

Subject

Pilot Policy

Partners**Department of Human Services (DHS)**

- Special Medicaid Process Unit (SMPU).
- Medical Consultation Staff.
- Office of Legal Services.

Spectrum Health

Butterworth Emergency Department

Licensing and Regulatory Affairs (LARA)

Michigan Administrative Hearing System (MAHS)

Introduction

This pilot project was developed to expedite a final eligibility determination for individuals who are seeking Medicaid (MA) assistance and allow those individuals to speak with a disability examiner regarding the disability determination and a first line manager for eligibility determination concerns. Highlights of the policy changes are listed below.

Both current policy and pilot policy will continue to have disability determinations made by the Medical Review Team (MRT) and eligibility determinations made by the DHS specialist.

The pilot will begin on October 15, 2012.

Pre-hearing Conference

This pilot adds a pre-hearing conference for MA disability cases. Current policy does not require a pre-hearing conference for disability related determinations.

Prior to pilot, pre-hearing conferences were not scheduled for hearing requests disputing disability determinations for the simple fact

that the Department did not make the decision and was unable to discuss how the decision was made with the individual.

In this pilot a senior disability examiner will participate in the pre-hearing conference and be able to discuss all of the following:

- The individual's disability.
- The Social Security Administration (SSA) sequential evaluation process.
- The SSA disability listings.
- How all of the above relate to the individual and the medical evidence provided.
- How all of the above was used in the determination process.
- Any additional medical evidence the individual may bring to the pre-hearing conference.

Along with the senior disability examiner, the pre-hearing conference will include a DHS first line manager. The manager will be available to discuss any eligibility concerns that arise at the pre-hearing conference.

The combination of senior disability examiner and first line supervisor will make a meaningful pre-hearing conference, adding the value of their expertise to explain why the individual does not meet the disability criteria or be able to discuss the individual's disability and review any additional verification presented.

State Hearing Review Team (SHRT)

Current policy requires all cases disputing a disability determination to be sent for a second level review by the SHRT. This pilot eliminates the SHRT review as the second level review will be completed by the senior MRT.

Parallel Hearings Packets

Hearing packets will be piloted in, electronic and paper. The hearing packet, including all medical documentation will be scanned into a SharePoint team site and also be sent to MAHS in the traditional paper form.

Cover Sheet

All pilot related hearings packets forwarded to MAHS in the paper form will be identified by a **goldenrod** cover sheet. This will identify the packet as a pilot case so MAHS staff will know to match it up with an electronic file and avoid sending this case to SHRT.

Share Point Team Site

DHS and MAHS have set up a shared team site for this pilot. All pilot cases will be transferred to MAHS in the team site and all MAHS information will be available to DHS staff in the team site.

Purpose

This pilot will focus on implementing changes necessary to create a coordinated and integrated system across departments, thereby improving the quality and efficiency of customer service. The pilot will provide a meaningful opportunity to resolve client concerns at the earliest time frame possible, while reducing the need for an administrative hearing (AH), reduce the paper flow and the wait time for individuals who do progress to the AH level.

The reduction of AH should result by scheduling and holding pre-hearing conferences at the local level. The pre-hearing conference will open the lines of communication for individuals served by the Department who have concerns over case actions taken, including the disability determination, up to a first line manager and a senior MRT in an attempt to provide individuals with a complete understanding of the case action(s) taken.

Hopefully, most clients will take advantage of the pre-hearing conference before the case proceeds to MAHS for an administrative hearing.

Process

The project will include all requests for hearings that are received by the SMPC Spectrum Group from an application taken at Spectrum Health – Butterworth Emergency Department, beginning on October 15, 2012 and continue through April 15, 2013. AH requests that dispute any case actions, including the MRT decision, will be considered pilot cases.

ADMINISTRATIVE HEARING

All programs

The administrative hearing process for this pilot will begin when a request for hearing is received and continue through to the implementation of the decision and order.

The first level in this appeals process is a pre-hearing conference at the local office level. This pilot is for medical cases and any associated assistance payments programs.

Individuals will be chosen for the pilot after a Spectrum Financial Counselor or DHS Medical Contact Worker (MCW) has screened the individual. The screening criteria can include any:

1. Individual who presents through the emergency department at Spectrum Butterworth with no medical insurance.
2. Individual who declares assets below the asset level for any MA program.
3. Any individual who is not under age 21, over age 65, pregnant, or the parent or caretaker of a child.

Request for Hearing

Within one business day of receiving a request for hearing, the MCW will:

- Schedule a pre-hearing conference on the first Wednesday following 10 calendar days from the date the notice will be mailed. Notes below:
 - Date notice is mailed is considered zero (0) day.
 - Additional days will be added as needed.
- Send the client and the authorized hearing representative (AHR), (if applicable) the Pre-hearing Conference Notice – Kent.
- Enter the scheduled pre-hearing conference on the hearings log.
- Contact third party representatives, if applicable. Examples include: MRT and Office of Child Support

**Pre-hearing
Conference**

The pre-hearing conference should be held on schedule and include the client, AHR if any, DHS Supervisor and the senior MRT.

All are scheduled in person at the Cascades Common Building at:

5321 28th Street Court, S.E.
Grand Rapids, MI 49546.

At the request of the client or AHR, the pre-hearing conference can be rescheduled once. Do all of the following at the pre-hearing conference:

- Determine why the client or AHR is disputing the DHS action.
- Review any documentation the client or authorized hearing representative provide in support of the allegation.
- Explain the department's position, identify and discuss the differences.
- Determine whether the dispute can be resolved locally or requires MAHS to resolve.

Note: If the client or AHR does not attend a pre-hearing conference, the senior MRT will review the medical case packet and any new medical document, if any, for a final review before being submitted to MAHS.

Outcomes

1. Client fails to appear.
 - Prepare DHS-3050, Hearing Summary and hearing packet with all evidence DHS plans to submit at the administrative hearing (AH).
 - Scan the case record into SharePoint.
 - Prepare a hearing packet for MAHS, client and the AHR. Mail each.

Note: The MAHS packet **must** have the goldenrod cover sheet attached. This pilot is a parallel pilot. MAHS will receive both electronic copies and paper copies. This will allow MAHS

staff the opportunity to test out the electronic files with the paper file in a parallel or side by side comparison.

2. Request is inappropriate.

Prepare DHS-3050, Hearing Summary, identify in the first sentence why DHS feels the request is inappropriate.

Complete the hearing packet with all evidence DHS plans to submit at the AH.

Place case into SharePoint.

- Prepare a paper file for MAHS, the client and the AHR. The MAHS packet **must** have the goldenrod cover sheet attached.
- Mail each paper packet.

3. Client and/or AHR withdrawals.

Withdrawal prior to hearing packet being submitted to MAHS.

- Secure signature on the DHS-18A, Hearing Request Withdrawal, and place in the hearing packet.
- Complete DHS-Hearing Summary with the statement client withdrew, see DHS-18A attached.
- Attach the DHS-18A.
- Scan packet and upload into SharePoint.
- Prepare a paper packet for MAHS.
- Mail paper packet to MAHS. The goldenrod pilot cover sheet **must** be used.

Withdrawal after the hearing packet is submitted.

- Secure signature on the DHS-18A, Hearing Request Withdrawal.
- Notify MAHS via SharePoint of the withdrawal. Attach DHS-18A.
- Follow up with paper packet. **Must** use the goldenrod pilot coversheet.

Note: If a client/AHR signs a withdrawal based on action the Department stated they would take, the stated action **MUST** be completed within 2 business days and **before** MAHS is notified of the withdrawal.

4. Scheduled for an administrative hearing at MAHS.
 - Complete the DHS-3050, Hearing Summary, and evidence packet.
 - Scan hearing summary and evidence packet to MAHS using SharePoint.
 - Provide a paper copy to MAHS, the client and authorized hearing representative, if any. The MAHS packet **must** have the goldenrod coversheet attached.
 - Notify MAHS to schedule the client for an administrative hearing.
 - Complete DHS - 1216-AP, Request for Attorney General Representation, and all required documentation for the AGs office if applicable.

MAHS will schedule the administrative hearing and send notification to all parties. DHS will receive notification via the SharePoint team site.

LIMITATIONS

All current DHS policies and procedures remain in effect unless specifically mentioned as a change in this pilot policy.

LEGAL BASE

MCL 400.14g

**MANUAL
MAINTENANCE
INSTRUCTIONS**