

**Department of Community Health
Medicaid Fair Hearing Decisions
Community Mental Health
1999-2006**

Docket Number	Date of Decision	Hearing Officer	County	Decision
1. 01-0196CMH	1-5-01	Kershul	Kent	Kershul over-ruled denial of respite on budget issue.
2. 01-0183CMH	11-16-00	Kershul	Kent	Kershul dismissed 11-16-00 Medicaid eligibility issue.
3. 00-2065CMH	1-5-01	Kershul	Clinton/Eaton/Ingham	Kershul ruled no unreasonable delay and no denial
4. 01-0234CMH	3-2-01	Kershul	Wayne	Kershul over-ruled denial of enhanced staffing. "Budgeting restrictions are not an appropriate basis..."
5. 00-2023CMH	11-29-00	Kershul	Kent	Kershul over-ruled denial of respite. "Budgeting restrictions are not an appropriate basis for reducing the respite care to the appellant."
6. 00-1954CMH	12-7-00	Kershul	Lenawee	Kershul upheld denial of eligibility for services
7. 00-1545CMH	11-7-00	Kershul	Muskegon	Kershul upheld denial of eligibility for services.
8. 00-0298CMH	4-20-00	Kershul	Oakland	Kershul found CMH denied PCP Services.
9. 00-1330CMH	9-7-00	Jacobs	Washtenaw	Jacobs' ordered CMH to make available a residential setting outside of the family home.
10. 00-1401CMH	11-17-00	Kershul	Northern Michigan	Kershul upheld denial of services.
11. 00-1363CMH	11-16-00	Kershul	Wayne	Kershul upheld denial of services.
12. 00-1067CMH	1-5-01	Kershul	Clinton/Eaton/Ingham	Kershul upheld denial of services.
13. 00-0479CMH	6-30-00	Kershul	Kent	Kershul upheld denial of services based on eligibility criteria.
14. 00-0690CMH	6-30-00	Kershul	Jackson	Kershul upheld denial of therapy.
15. 99-0880CMH	12-14-99	Ketner	Unknown	Ketner affirmed denial of "Day Program" as denial of service as it is not a covered service.
16. 99-0801CMH	10-13-99	Ketner	Kalamazoo	Ketner affirmed CMH and stated that "CMH can provide medically necessary services at any site it elects."
17. 99-0745CMH	10-13-99	Ketner	Unknown	Change in placement affirmed but, no options presented.

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18. 99-0692CMH	1-3-00	Ketner	Kent	Affirmed amount, duration and scope of services.
19. 99-0622CMH	8-5-99	Ketner	Shiawassee	Reversed-Ketner over-ruled change in service. Found reduction in services; no proper notice.
20. 99-0425CMH	8-5-99	Ketner	Shiawassee	Reversed-Ketner over-ruled change in service. Found reduction in services; no proper notice.
21. 99-0499CMH	8-5-99	Ketner	Shiawassee	Reversed-Ketner over-ruled change in service. Found reduction in services; no proper notice.
22. 99-0498CMH	8-5-99	Ketner	Shiawassee	Reversed-Ketner over-ruled change in service. Found reduction in services; no proper notice.
23. 99-0472CMH	8-5-99	Ketner	Shiawassee	Reversed-Ketner over-ruled change in service. Found reduction in services; no proper notice.
24. 99-0452CMH	8-5-99	Ketner	Shiawassee	Reversed-Ketner over-ruled change in service. Found reduction in services; no proper notice.
25. 99-0292CMH	3-30-99	Kershul	Northeast Michigan	Upheld "equivalent services" Good language on Notice provision requirements.
26. 99-0417CMH	6-9-99	Ketner	North Central Michigan	Ketner found unreasonable time delay. Allowed supplement of FIA Rate.
27. 99-0335CMH	6-3-99	Ketner	Unknown	Ketner denied respite services as child was not developmentally disabled.
28. 99-0278CMH	3-24-99	Kershul	Sanilac	Kershul denied additional P.T. Services
29. 99-0219CMH	2-24-99	Kershul	Macomb	Kershul dismissed appeal as mother did not have "standing"
30. 99-0182CMH	6-14-99	Kershul	Midland-Gladwin	Kershul denied payment for out of state services without prior approval.
31. 99-0251CMH	5-10-99	Kershul	Shiawassee	Kershul ruled there was an improper reduction in services.
32. 99-0261CMH	7-27-99	Ketner	Berrien	Ketner denied services as DD and respite. Refers for other services.
33. 99-0262CMH	7-27-99	Ketner	Berrien	Ketner denied services as DD and respite. Refers for other services
34. 99-0256CMH	5-13-99	Kershul	Hiawatha	Kershul upheld denial of services / eligibility.
35. 01-1218CMH	3-15-01	Kershul	Monroe	Kershul upheld denial of eligibility for services.
36. 01-0532CMH	1-29-01	Kershul	Berrien	Kershul upheld denial of eligibility for services
37. 01-0407CMH	3-27-01	Ketner	Gogebic	Ketner upheld denial of eligibility of services.
38. 00-1916CMH	12-28-00	Ketner	Kent	Ketner reversed denial of respite services.

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39. 01-0643CMH	3-2-01	Kershul	Genessee	Kershul upheld denial of additional outpatient counseling services.
40. 99-0262CMH				
41. 99-0590CMH	7-26-99	Ketner	Unknown	Ketner affirmed reduction in services - person with mental illness.
42. 99-1232CMH	2-4-00	Kershul	Macomb	Kershul upheld denial of outpatient psychotherapy.
43. 99-1016CMH	Unknown	Ketner	Kalkaska	Ketner upheld amount, duration and scope of services for lack of information.
44. 99-0473CMH	5-5-99	Kershul	Midland/Gladwin	Kershul denied retroactive services for lack of "any contemporary timekeeping provider records." "No credible evidence"
Decisions from Request #2				
45. 01-1335CMH	6-26-01	Kershul	Oakland	Kershul upheld medicaid covered services of adequate scope, duration and intensity for traumatic brain injury
46. 00-1637CMH	6-20-01	Ketner	Unknown	Ketner upheld CMHSP properly denied request for additional funding for nursing care-not required according to assessment of department and tribunal
47. 01-0154CMH	5-16-01	Kershul	Hiawatha Behavioral Health	Kershul ruled department did not act properly in attempting to reduce respite care hours. Ordered CMH to provide 24 hour respite care during menstrual cycle.
48. 00-0251CMH	8-4-00	Jacobs	Clinton-Ingham	Jacobs upheld decision that client does not meet requirements for HAB Waiver. Decision was reconsidered based on eligibility for CMH services. Harrison ordered that CMH develop a PCP to determine eligibility for services.
49. 99-0953CMH	12-6-99	Ketner	Montcalm Center for Behavioral Health	Ketner upheld proper termination of services.
Decisions from Request #3				
50. 01-2939CMH	08-29-01	Kershul	Ottawa	Kershul upheld decision that client was properly denied public mental health services.
51. 01-2454CMH	09-13-01	Kershul	Gogebic	Kershul upheld decision that client did not require inpatient psychiatric care.
52. 01-2896CMH	08-21-01	Jacobs	Kent	Jacobs upheld Kent County acted appropriately.

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53. 01-2816CMH	08-10-01	Kershul	Ottawa	Kershul ruled there was no denial of services and no undue delay as the change was done through Plan of Service and Person Centered Plan
54. 01-2557CMH	07-30-01	Ketner	Muskegon	Ketner upheld that the program properly proposed termination of the in-home supports as they were no longer medically necessary.
55. 01-1916CMH	07-10-01	Ketner	Marquette General	Ketner orders ceasement of any action to bill or attempt to collect for inpatient services.
56. 01-2760CMH	08-02-01	Jacobs	Lenawee	Jacobs upheld that the client does not meet the criteria for the kind of serious or ongoing mental health condition that the agency is obligated to provide to Medicaid recipients (not priority population).
Decisions from Request #5				
57. 01-3733CMH	10-24-01	Kershul	Muskegon	The Department's proposed reduction of Appellant's Medicaid services is stayed until they give proper notice of the proposed reduction.
58. 01-3175CMH	09-18-01	Kershul	Unknown	Appellant shall have 12 hours of community support services until Department gives proper notice of reduction of Medicaid services.
59. 01-2801CMH	11-13-01	Kershul	Midland-Gladwin	Kershul affirmed that the Appellant was properly denied public mental health services in the form of case management to be paid for by MGCMMH.
60. 01-3634CMH	11-29-01	Kershul	Allegan	Kershul ruled that the substitution of supported employment services offered by another provider than the one preferred by Appellant did not reduce the quantity and quality of services available.
61. 01-2620CMH	09-26-01	Kershul	Unknown	Kershul affirmed that the Appellant was properly denied public mental health services to be paid for by Lifeways.
62. 01-0358CMH 01-2388CMH	05-31-02	Haveman	State of Michigan	Policy Hearing Authority Decision-Sullivan
63. 01-2326CMH	2-25-02	Kershul	Macomb	Affirmed that the department acted properly in reducing sensory integration services to four time a month or once a week
64. 01-2333CMH	5-23-02	Kershul	Oakland	Substantiated. Department will provide a

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				medically suitable shower commode chair to the Appellant
65. 01-3331CMH	3-19-02	Ketner	Detroit-Wayne	Affirmed that the Department properly denied continuing acute psychiatric inpatient admission
66. 01-3353CMH	12-14-01	Kershul	Muskegon	Affirmed that the Appellant was properly denied services
67. 02-1111CMH	1-16-02	Kershul	Great Lakes CMHA	Substantiated. CMH did not give proper advance notice. Services to remain in place until CMH does so
68. 02-0115CMH	2-13-02	Kershul	Oakland	Affirmed CMH does not have to provide case management services to Appellant
69. 02-1186CMH	2-20-02	Kershul	St. Clair	Affirmed. Appellant does not meet the criteria in service selection guidelines for dd to require mental health services
70. 02-1660CMH	6-14-02	Ketner		Affirmed. CMH properly proposed terminating nursing services.
71. 02-1683CMH	6-19-02	Ketner		Affirmed that CMH can replace private duty nursing with certified nurses aid
72. 02-2061CMH	5-17-02	Kershul	Oakland	Affirmed that Appellant was properly denied mental health services
73. 02-2260CMH	5-3-02	Kershul	Central Michigan CMHSP	Substantiated. CMH did not give proper advance notice. Services to remain in place until CMH does so
74. 02-2460CMH	6-19-02	Ketner	Sanilac	Affirmed. The Department does not have to provide housing services
75. 02-0072CMH	07-01-02	Kershul	Lenawee	Dismissed. Decided Tribunal does not have jurisdiction in the matter.
76. 02-5005CMH	08-21-02	Kershul	Lenawee	Affirmed. Appellant was properly denied mental health services.
77. 02-1007CMH	07-15-02	Ketner	Ottawa	Affirmed. Appellant doesn't clearly meet the statutory definition of individual with DD b/c she didn't have functional limits in 3 or + areas.
78. 02-4822CMH	07-30-02	Kershul	Kalamazoo	Affirmed. Department acted correctly in terminating individual outpatient psychotherapy.
79. 01-0103CMH	07-15-02	Ketner		Some affirmed, some dismissed. CMHSP may not

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				provide housing assistance using Medicaid; CMHS program may not provide personal care as Hab Supports Waiver; CMHSP may not enhance or augment the rate of pay est. by FIA/Dept for personal care services...
80. 01-3497CMH	07-15-02	Ketner	St. Clair	Affirmed. Department properly proposed the termination of individual therapy.
81. 02-2196CMH	07-01-02	Kershul	Oakland	Affirmed. Department acted properly in denying reimbursement for scooter and Tribunal has no jurisdiction to decide payment issues under voucher/FI model.
82. 01-0104CMH	07-15-02	Ketner		.Affirmed in part; dismissed in part. CMHSP may not provide housing assistance using Medicaid; CMHS program may not provide personal care as Hab Supports Waiver; CMHSP may not enhance or augment the rate of pay est. by FIA/Dept for personal care services...
83. 01-0102CMH	07-15-02	Ketner		Affirmed in part; dismissed in part. CMHSP may not provide housing assistance using Medicaid; CMHS program may not provide personal care as Hab Supports Waiver; CMHSP may not enhance or augment the rate of pay est. by FIA/Dept for personal care services...
84. 02-2018CMH	08-08-02	Ketner	Oakland	Department has incorrectly determined the level of community living supports provided to Appellant.
85. 02-0484CMH	08-08-02	Ketner	Kalamazoo.	Affirmed. Appellant doesn't qualify as individual with DD for services through CMHSP. Doesn't have serious mental health impairment that would qualify him for services thru CMHSP.
86. 02-2184CMH	08-20-02	Ketner	West Michigan	Affirmed. Department properly terminated hourly care due to a change in policy and properly denied private nursing, the new State Plan benefit.
87. 02-3345CMH	02-01-02	Ketner	Saginaw	Affirmed. Department properly applied utilization criteria permitted by federal regulation. Appellant

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				does not meet medical necessity criteria. EPSDT regulations do not in this case require that nursing services be provided to a child in excess of those provided in the state plan.

88. 01-1594CMH	01-07-02	Kershul	Oakland	Ordered that appellant Biernat is to be provided with medically necessary services. Appellant's parents are not to be compensated for the care they have provided him with Medicaid funds.
89. 02-2027CMH	04-25-02	Kershul	Oakland	Services proposed for the Appellant were not based upon an adequate assessment. appellant to be reassessed.
02-2027CMH	04-25-02	Kershul	Oakland	Appellant is to be reassessed for Mental Health Services by Oakland County with particular consideration given to placement in a psychosocial rehab clubhouse program. Liz's Case: Lincoln
90. 02-5169CMH	08-27-02	Kershul	Macomb	Affirmed. Kershul upholds "utilization" as reason to deny services from "c" waiver.
91. 02-2996CMH 02-2997CMH 02-2998CMH	05-22-02	Kershul	Oakland	Affirms utilization reduction. Says "blinded" rate inappropriate for family with more than 1 kid with a disability.
92. 02-2859CMH	05-23-02	Ketner		Upholds denial of increase of CLS for C Waiver. Says 35 hours a month is generous for person with profound MR due to PCP submitted (only 1 goal that doesn't support need).
93. 02-4462CMH	07-11-02	Kershul	Macomb	Kershul ruled against Macomb County re: respite utilization of LPN – Made an increase of 40 hours per month due to need.
94. 02-4803CMH	07-18-02	Kershul	Bay-Arenac	Kershul ruled against Doug re: Eligibility on mental illness. Doug is appealing.
95. 02-1609CMH	04-02-02	Ketner	St. Clair	Upholds denial of increase of CLS.
96. 02-1553CMH	04-02-02	Ketner	St. Clair	Ruled Child with LD & Mild ADHD not eligible for CMH services.
97. 02-5543CMH	09-18-02	Kershul	Berrien	Outpatient indiv. psychotherapy – "inappropriate" in that appellant has not derived significant benefit from it. Utilization reduction.
98. 02-5369CMH	09-18-02	Kershul	Department	Children's waiver denied – private duty nursing care.
99. 02-5487CMH	10-01-02	Ketner	Oakland	Reduces CLS for C Waiver person based on Sullivan. Calls them personal care services.

100. 02-5486CMH	10-01-02	Ketner	Oakland	Reduces CLS for C Waiver person based on Sullivan. Calls them personal care services.
101. 02-5492CMH	10-01-02	Ketner	Oakland	Reduces CLS for C Waiver person based on Sullivan. Calls them personal care services.
102. 02-5355CMH	10-16-02	Kershul	Wayne	Addresses discontinuation of in home therapy for child – Kershul upholds change in policy.
103. 02-6431CMH	2-12-03	Ketner	Oakland	Edgcomb-OCCMHA Hab Waiver/Ketner in favor of reducing CLS against reducing speech without proof school is providing it.
104. 02-6341CMH	1-3-03	Ketner	Oakland	<u>OCCMHA- Children’s Waiver- Private Duty- Nursing</u> <u>Ketner</u> *Evertse not Edgcomb
105. 02-5154CMH	12-27-02	Ketner	Oakland	<u>Edgcomb-Private duty nursing-respond to waiver assertion, children’s waiver Ketner</u>
106. 02-0570CMH 02-1676CMS	12-27-02	Ketner	Oakland	Oakland County-children’s waiver private duty nursing –Ketner- Edgcomb
107. 02-6405CMH	3-12-03	Ketner	?	<u>Ketner</u> The purchase/lease of a vehicle is not a Medicaid covered transportation expense-on C waiver
108. 02-5537CMH	1-9-03	Ketner	Macomb	Jill Smith Reduction of “repute” based on high # of adult home help hrs. Says they were really CLS-post Sullivan decision.
109. 02-3184CMH	12-27-02	Kershul	Washtenaw	Sandy’s case Re: PCP for Keeler Lost on timing issue
110. 03-0823CMH	2-28-03	Snider	Wayne	<u>Wayne County</u> (B) Waiver Transfer to WCLS to synergy not term; reduction of services
111. 03-0573CMH	1-9-03	Harrison	Central Michigan	Not sufficient notice-termination of services is improper without “proper advance notice and an opportunity to retain Medicaid covered services.” CMH decision is <u>reversed.</u>

112. 03-1186CMH	2-12-03	Snider	Oakland	Snider found no jurisdiction over alternative services per Sullivan- reduced day program from five to three days a week. Jill Evertse- Rep. OCCMHA
113. 03-1606CMH	3-14-03	Snider	Oakland	SMH; Hab waiver consumer- two hours a day of CLS is “sufficient” enough to achieve its purpose of facilitating individuals independent and communication integration. Affirmed/No jurisdiction per Sullivan
114. 03-0824CMH	2-12-03	Snider	Pathways- Jackson?	Pathways-Hab waiver- Snider equals coverage for Internet; recreation; lawn care fees.
115. 03-1176CMH	2-12-03	Snider	Northern Michigan CMH	Northern Michigan CMH\ -Hab waiver -Snider: CMH must provide Aug. Com. Device within 10 days of order; calls it enhanced medical equipments and supplies -CMH failed to act with reasonable promptness (three years without device)
116. 03-0660CMH	2-6-03	Snider	Kalamazoo	Act= state plan service CPP=state plan service Probate court order says Kalamazoo CMH to provide services. She wants less intensive option. Judge affirms CMH decision to deny changes in services. Similar to case #125.
117. 03-1723CMH	3-14-03	Snider	Macomb Jill Smith	Hab waiver- both agree respite is covered services and medically necessary. Dispute over: amount, duration, and scope/intensity of service. Family requested 1,118 hours a month; CMH offered 100. Affirms CMH says: 1) respite not relief for in home shift hourly workers but not for relief for primary caregivers 2) not credible evidence from family
118. 03-0669CMH	2-12-03	Snider	St. Clair	St. Clair County transfer from one group home to another, not a termination reduction of service; Martin Snider.

119. 03-1592CMH	3-12-03	Snider	Berrien	Berrien County MI- Terminated care management. Referred to substance abuse treatment- she did attend sessions.
120. 03-1304CMH	2-28-03	Snider	Wayne	Hab waiver consumer CLS- self-determination budget= no jurisdiction CLS staffing hours are adequate. They went up, cant pay overtime to provider, 20 hours more CLS rather than day program due to behavior= O.K.; tribunal has no jurisdiction on Home Repairs Maintenance; no jurisdiction re: S.D. affirmed.
121. 03-0521CMH	2-28-03	Snider	Pathways-Jackson	Pathways- person with MI with case management, terminated appropriately. Martin Snider Adm. Judge.
122. 03-1854CMH	4-2-03	Snider	Oakland	Hab waiver- CLS- reduced from nine hours a day to six per week and six respite hours a week and 24 overnight of respite a year- Affirmed.
123. 03-1545CMH	03	Snider		Child- also getting Children's Special Health Care Services- including private duty nursing. These services are not affected by the decision. Child has late onset Hypoventilation Syndrome, only 10 cases worldwide. Snider determines he does not have serious or severe emotional disturbance or developmentally disabled; goes through test for D.D in detail – finds no eligibility for CMH services. Mark Cody's case.
124. 03-1188 CMH	5-14-03	Snider		Consumer with mild Mental Retardation not DD. Goes through DD test- maybe Oakland County case, hard to tell. Snider upholds ineligibility for benefits.
125. 03-2509CMH	6-19-03	Snider	Kalamazoo	Consumer requested change from Act to CPP- denied. Court order involved for MI consumer; similar to case #116.
126. 03-1936CMH	5-14-03	Snider	Oakland	Hab waiver consumer CLS reduced from six hours a day to four hours a day and vacation days 90 hours a year terminated. Given 12 hours a month respite and 12 overnights a year. Terminated Y

				dues CLS doe not include “private club dues.”
127. 03-2789	5-14-03	Snider	Oakland	Hab waiver consumer upholds denial of 1456 respite hours to 1080 respite hours. Seems to encourage asking for a different service (CLS- Adult Home Help) Strange decision- similar to #129.
128. 03-2502CMH	5-23-03	Snider	Wayne	Hab waiver consumer synergy and FNS. Snider funds family agency, could choose respite to be provided at camp. Quotes Chapter III page 72 allowing choice in providers through PCP. Rules Summer Respite Camp is covered service- improperly denied!
129. 03-3359CMH 03-0827CMH	7-14-03 4-4-03	Snider Snider	Oakland	~Hab waiver consumer- upholds reduction of respite from 40 hours a week to 20 hours a week – implies should ask for other services CLS- Adult Home Help? Similar to #127 ~Children’s waiver case
130. 03-1614CMH	4-3-03	Snider	?	Hab waiver consumer – affirms reduction in a CLS from 57 hours a week to 20 hours a week. Says it is sufficient to facilitate an individual’s independence and promote community integration. Says doctor’s note saying he needs 24/7 is not supported by evidence.
131. 03-1537CMH	?	Snider	?	Hab waiver consumer CLS reduced from 88 to 25 hours a week- agency unable to provide tribunal with method used to determine 88 hours was medically necessary. Appellant I provide sufficient evidence to show reduction I reasonably facilitate appellant’s independence and promote community integration. Rules reduction in transportation miles from 750-300 would not allow her to attend medically necessary CLS activities orders reassessment of needs within 10 days.
132. 03-3165CMH	7-14-03	Snider	?	Appellant’s Act and outpatient services through Guidance Center appropriately terminated. Appellant has documented history of violence with

				staff, non-compliant with treatment. Appellant must select new service provider within network. *Consumer assaulted staff- criminal charge= disorderly conduct.
133. 03-1986	5-20-03	Snider	?	Hab waiver consumer found <u>ineligible for ICF/MR level of care</u> - (see pages 5-6 of decision). *Continued services without Hab waiver- <u>important decision.</u>
134. 03-3081CMH	7-22-03	Snider	?	See pages 5-8that outlines criteria for eligibility for inpatient psychiatric services paid for by Medicaid. *Consumer wanted more intense hospitalization services. Judge says Act with outpatient Mental Health Services is sufficient.
135. 03-2758 CMH	6-17-03	Snider	Midland	Hab waiver consumer vacation hours= alternative services. No jurisdiction ; consumer didn't assert they were "respite"- respite was increased five hours a week; vacation 192 a year terminated. Six hours, six days a week "sufficient" for CLS.
136. 03-1688CMH	3-31-03	Snider	?	Hab waiver consumer *Reduced CLS by <u>subtracting</u> Adult Home Help! *Upholds reduction of 62.3 hours to 32 hours per week and termination of vacation time with adding respite. *Denies money for van- increased mileage <u>instead</u>
137. 03-1606CMH	3-14-03	Snider	?	Hab waiver consumer Vacation= Alternative Services not equal to no jurisdiction increased respite and Camp Fowler instead. 1) CLS- two hours "sufficient" to facilitate independence- subtract adult home help 2) Transportation- "sufficient" for CLS
138. 03-1587CMH	3-31-03	Snider	?	Hab waiver consumer Pace Program and \$300 for Community Access is "sufficient" for CLS *Respite not appropriate as individual does not live at home

139. Load # 44000501	5-14-03	Snider	?	Consumer denied CMH services, does not meet definition of services and persistent mental illness. Defines it per MSA 95-03 pages 5-8 of the decision- affirmed denial.
140. 03-0536CMH	5-8-03	Snider	Oakland	CMH terminated services while consumer was in jail. The CMH wasn't required to provide advance notice <u>but</u> was required to provide adequate notice- they failed to do so.
141. 03-3848CMH	8-22-03	Snider	?	Upheld decision to deny services as person did not meet definition of severe and persistent mental illness- applies factors.
142. 03-3198CMH	7-11-03	Snider	Wayne?	Consumer with Autism- 1) No jurisdiction regarding brother's wages 2) CLS= sufficient 3) Day Program denial ok, as gave him 20 hours CLS due to violent behavior 4) No jurisdiction regarding failure to communicate <ul style="list-style-type: none"> • Similar to case #120
143. 03-4717CMH	10-27-03	Snider	Oakland/Macomb	Medicaid beneficiary on MI Choice Waiver not eligible as DD- she is 44 years old. Was diagnosed with Huntington's at age 39.
144. 03-4852CMH	10-27-03	Snider	?	Consumer no longer meets definition of person with persistent and serious mental illness. Denied services- decision <u>upheld!!</u>
145. 03-4076CMH	10-27-03	Snider	?	Medicaid consumer no longer eligible for services as a person with persistent serious metal illness. Denial upheld.
146. 03-4258CMH	9-11-03	Snider	?	Person with mild Mental Retardation found not DD. Denial of services upheld.
147. 03-2796CMH	8-27-03	Snider	?	Hab waver consumer-CLS reduced from 7.8 to five hours a day voc; respite transportation terminated; vacation hours terminated and nursing visits terminated. *CLS upheld as "sufficient"
148. 03-3864CMH	8-26-03	Snider	?	Medicaid consumer with MI. Act services denied

				due to individual's refusal to accept services due to "ongoing, unacceptable, inappropriate, and often criminal behaviors."
149. 03-4885CMH	1-26-04	Snider	Oakland	Oakland County Anderson Case- person with mild Mental Retardation found not DD, denial of services by MORC upheld!
150. 03-4275CMH	12-2-03	Snider	?	Person with MI- no longer eligible for services does not meet definition of persistent and serious mental illness.
151. 2004-1174CMH	3-16-04	Gigliotti	Oakland	Person with MI no longer eligible for care management services.
152. 03-5330CMH	12-8-03	Gigliotti	Oakland	CMH did not support Easter Seals' denial of case management services and required they implement plan of correction. Judge agrees with CMH.
153. 2004-1026CMH	3-3-04	Gigliotti	?	Person MI's- need for case management services are the result of her medical and not mental condition- upholds denial of case management services.
154. 2004-587CMH	2-19-04	Gigliotti	?	Upholds CMH decision Re: level of services for student with emotional impairment
155. 03-4978CMH	12-1-03	Gigliotti	?	MI choice waiver- consumer denied mental health services. "Dementia is not a qualifying mental illness" Decision upheld.
156. 2004-1156CMH	2-24-04	Gigliotti	?	Day Program and Transportation to and from required per section 3.23 of Chapter III and reduction in these services was improper and decision was reversed!
157. 2004-1520CMH	3-30-04	Snider	?	Very important decision: Snider orders the CMH to authorize Medicaid funded inpatient hospitalization services for appellant retroactive over four months. *Ordered them to develop within 30 days a PCD to address outpatient services *Person w/o had TMI judicial admission? * Wanted inpatient services until outpatient

				<p>placement could be developed</p> <p>*Not given proper notice</p> <p>*Discusses interaction b/n mental health rules and probate court orders</p>
158. 03-4544CMH	12-1-03	Snider	?	Upholds denial of case management services as appellant with MI's need for case management as a result of medical condition and not mental condition (person is also physically disabled and not DD)
159. 03-3059CMH	1-29-04	Snider	?	
160. 04-0577CMH	2-5-04	Gigliotti	?	Gigliotti found that a person w/ mental illness did meet eligibility criteria for specialty mental health services. Reversed CMH decision.
161. 03-4145CMH	12-1-03	Snider	?	<p>"These mental health professionals however have confused res. placement order for children adjudicated through the juvenile court with those who are seeking to avoid impatient mental health placement through crisis residential programming. The tribunal has no authority to order a child into a locked 24 hour residential treatment facility for adjudicated juveniles."</p> <p>Ruling: Appellant has failed to provide sufficient evidence to establish that crisis residential services are medially necessary (Mom requested permanent placement not crisis residential which is a covered service).</p>
162. 2004-1060CMH	3-31-04	Gigliotti	?	<p>Consumer was B waiver changed to C <u>after</u> denial. Hearing aide denial affirmed as:</p> <ol style="list-style-type: none"> 1) Request not made to health care/ state plan coverage first 2) Expert said these "may" benefit appellant, but not a medical necessity <p>*Hearing aides he has are ok and cost effective (digital ones not approved)</p>

163. 03-4480CMH	11-10-03	Snider	Up North- involves Acme Terrace	Consumer with mental illness and MS- OBRA screened out of nursing home to Aceme Terrace AFC. Request more personal care from FIA; denied. CMH only responsible for personal care that directly relates from mental illness, not MS, suggest CLS instead!
164. 03-5274CMH	1-29-04	Snider	?	B waiver consumer – CLS reduced by 253 hours. Problem with A.H.H and CLS- this was the exact amount of A.H.H hours and used Sullivan non-duplication as reason. CLS provider not A.H.H provider?? Upholds decision.
165. 03-2506CMH	11-3-03	Snider	?	Not a HAB or Children's Waiver- requested HAB waiver *Snider order evaluation met three criteria, but CMH said "no slots." Snider reversed and ordered that she get the waiver.
166. 03-3624CMH	8-7-03	Snider		Proper termination of Children's Waiver - not using services because of insurance
167. 03-3881CMH	8-28-03	Snider		Proper termination of Children's Waiver because of private insurance.
168. 03-0827CMH	3-11-03	Snider		Children's Waiver case re: private duty nursing. Affirms reduction based on change in services definition.
169. 03-2296CMH	6-11-03	Snider		Appropriate reduction from private duty nurse to aide level.
170. 03-3866CMH	8-12-03	Snider		Appropriate reduction from private duty nurse to aide level.
171. 2004-1023CMH	2-3-04	Gigliotti		Children's Waiver was properly terminated - not using more than one service because of private insurance.
172. 02-1112CMH	9-19-02	Ketner	Oakland	Children's Waiver - department properly denied the request for environmental modifications of the swing.
173. 99-0251CMH	3-22-99	Kershul	Shiawassee	Reduction of Medicaid services without proper written notice of reduction. The reduced Medicaid

				services did not meet the medical necessity test.
174. 99-0278CMH	3-10-99	Kershul	Sanilac	The program properly denied three additional hours of physical therapy.
175. Not Available "October 1998"	8-31-98	Kershul	Livingston	No proper notice of a reduction in Medicaid services was given.
176. 011594CMH	1-7-02	Kershul	Oakland	Not provided with adequate Medicaid services and his parent's are not eligible for payment of Medicaid funds for his care.
177. 99-1016CMH	10-27-99	Ketner	Kalkaska	Community Mental Health Services properly provided medically necessary Medicaid covered services. Upheld amount, duration, and scope of services for lack of info. Family very frustrated.
178. 01-2939CMH	8-22-01	Kershul	Ottawa	Denial of eligibility for services.
179. 99-0972HHS	8-9-99	Kershul		ALJ decided that they are eligible for all Medicaid covered services that are necessary to meet her needs for services medically necessary.
180. 00-0213REH	2-29-00	Kershul		Not all services were terminated, but they were coordinated.
181. 2004-4132CMH	8-2-04	Gigliotti	Oakland	Mental health services terminated by CMH were reversed by Gigliotti.
190. 2005-567CMH	3-15-05	Ketner		This person does not meet the definition of developmentally disabled under the State Mental Health Code. Affirmed.
191. 2005-1195CMH	3-29-05	Snider		Proper termination of therapy- beneficiary stopped going when therapist changed.
192. 2005-822CMH	3-11-05	Snider		Affirmed. One hour of case management is enough.
193. 2005-1205CMH	March 2005	Snider		Affirmed. Eligibility for services as a person with serious mental illness and DD denied.
194. 2005-122CMH	12-17-04	Gigliotti		CMH beneficiary has implied duty for individual to act in good faith. No complaint with services.
195. 2004-5391CMH	10-29-04	Gigliotti		Inpatient psychiatric facility - not eligible for Medicaid services via CMH.
196. 2004-5092CMH	12-16-04	Snider		Definition on mental illness beneficiary does not meet criteria. Case management is not medically necessary.

197. 2004-3197CMH	7-15-04	Gigliotti		CLS supervising a sleeping person is not covered.
198. 2004-4552CMH	9-22-04	Gigliotti		Affirmed. No longer needed inpatient psychiatric care- inappropriate treatment criteria. The beneficiary will not be financially liable for authorized care.
199. 2004-3266CMH	5-26-04	Ketner	Ottawa	Affirmed. CMH decision to terminate Medicaid covered services because not a persistent and severe mental illness was correct.
200. 2004-1060CMH	2-12-04	Gigliotti		Affirmed. The department properly denied the request for digital hearing aids under the assistive technology alternative services program.
201. 2004-2059CMH	4-1-04	Snider		Affirmed. The suspension of services was proper.
202. 2004-571CMH	2-24-04	Gigliotti		Beneficiary was properly denied additional staffing hours for transportation and supervision of personal hygiene and did not properly deny staffing hours for physical activity and socialization/recreational activities in the home.
203. 2004-1985CMH	4-7-04	Gigliotti		CMH properly reduced beneficiary's community living supports.
204. 2004-561CMH	2-24-04	Gigliotti		The denial of staffing hours for physical activity and mobility, prompting of personal hygiene, leisure participation and socialization was not proper.
205. 2004-572CMH	2-24-04	Gigliotti		Denial of staffing hours for transportation and supervision of personal hygiene was proper. The denial of staffing hours for physical activity and recreation was not proper.
206. 2004-1520CMH	3-2-04	Snider		Reversed. The appellant was not given proper notice of termination of his payments for the inpatient psychiatric services. The appellant meets the criteria for the Inpatient Psychiatric services. The appellant meets the criteria for the Outpatient specialized mental health services.
207. 2004-1430CMH	3-23-04	Gigliotti		Affirmed. Beneficiary does not meet the MDCH/CMHSP Managed Specialty Support and Services Contract Medicaid eligibility requirements for health services.

208. 2004-3474CMH	6-3-04	Ketner		Affirmed. Department properly determined that beneficiary no longer needed mental health services through CMHSP.
209. 2004-567CMH	2-24-04	Gigliotti		Decision affirmed as to supervision of personal hygiene and socialization.
210. 2004-3475CMH	6-9-04	Ketner		Affirmed. CMHSP properly determined that _____ was not eligible to serve as a direct service provider. Not proper due to a felony conviction in the last 5 years.
211. 2004-3025CMH	5-5-04	Ketner		The request for psychotherapy was denied since the specific reason for the services was already being provided.
212. 2004-3031CMH	5-12-04	Snider		Outpatient mental health services were properly terminated - beneficiary did not provide sufficient evidence that she has a qualifying diagnosis and is eligible for services.
213. 2004-3548CMH	6-9-04	Ketner		Caregiver was not qualified to be a direct care provider due to a felony conviction within the last 15 years.
214. 2004-2583CMH	5-19-04	Gigliotti		Medicaid funded mental health services were properly terminated. Beneficiary did not meet the MDCH/CMHSP Managed Specialty Supports and services eligibility requirements.
215. 2005-172CMH	1-13-05	Ketner		Explains use of CLS and AHH, they do compliment. Also, DD - amount, duration, and scope.
216. 2004-4664CMH	1-25-05	Meyer		Skilled nursing only available to those under 21.
217. 2004-3273CMH	6-28-04	Snider		Judge affirms termination of children's waiver for not using services.
218. 2005-4320CMH	11-23-05	Ketner		Beneficiary does not meet definition of DD disorder.
219. 2006-293CMH	12-16-05	Snider		BCBS co-payments are not a covered service.
220. 2006-294CMH	12-16-05	Snider		“ “
221. 2006-1957 CMH	5-26-06	Snider		Affirms denial of Medicaid covered outpatient Mental Health Services.
222. 2006-742CMH	2-1-06	Snider		Person does not have a persistent mental illness - termination of outpatient Mental Health and case

				management.
223. 2006-1707CMH	4-26-06	Gigliotti		Affirms termination of mental health services and transition to substance abuse services.
224. 2006-537CMH	2-8-06	Ketner		Affirms termination of Mental Health Case Management - beneficiary did not follow through with case manager to connect to community resources although she is “physically and mentally able to.”
225. 2006-1578CMH	5-12-06	Snider		Affirms denial of services for not meeting definition of developmental disorder.
226. 2006-1560CMH	4-24-06	Snider		Affirms denial of services for not meeting definition of developmental disorder.
227. 2006-1015CMH	5-15-06	Gigliotti		Affirms CMH reduction in CLS hours. Stand by Guardian can be paid for by CLS.
228. 2006-553CMH	2-3-06	Snider		Affirms denial of inpatient psychiatric services for a child. Continuing stay criteria.
229. 2006-1483CMH	4-11-06	Gigliotti		Affirms reduction in ACT from 6 months to 3 months and reduces case management.
230. 2006-1490CMH	4-13-06	Gigliotti		Affirms termination of mental health services to substance abuse services.
231. 2006-1011CMH	4-25-06	Gigliotti		Affirms termination of because no DD disorder.
232. 2006-1006CMH	3-17-06	Gigliotti		Affirms CMH denial of 24-hour in/out home respite care. Addresses definition of respite - respite care is done to relieve an unpaid primary caregiver . In this case the caregiver being relieved was paid.
233. 2005-4259CMH	2-22-05	Gigliotti		Inpatient admission was not medically necessary for appellant. Appellant is not financially liable for the non-CMHSP authorized inpatient cost of care and cannot be billed for the services.
234. 2006-1008CMH	1-23-06	Ketner		Affirms reduction of child’s home based services. “Department policy does not require that services be provided in school. It should be noted that the school has onsite counselors that that the appellate is also under the jurisdiction of the probate court.”
235. 2006-1821CMH	5-22-06	Snider		Affirms termination of outpatient mental health services - did not meet the definition of person

				with SPMI.
236. 2006-209CMH	1-13-06	Snider		Affirms termination of outpatient mental health services as a person with PSMI.
237. 2006-557CMH	1-31-06	Snider		Affirms CMH - didn't terminate, deny , or reduce medically necessary services. "It is a <u>fraud</u> to bill Medicaid for services before exhausting all other insurances."
238. 2006-1562CMH	4-17-06	Ketner		Affirms termination for not meeting criteria for inpatient psychiatric hospitalization.
239. 2006-1200CMH	4-17-06	Ketner		Affirms termination of counseling services - but will still receive services in a "crisis."
240. 2006-35CMH	12-16-05	Snider		Affirms CMH termination of outpatient mental health services didn't meet definition of person with PSMI.
241. 2006-884 CMH	2-28-06	Snider		Affirms denial of inpatient psychiatric services and specialized long term residential services - Pathways.
242. 2005-4257CMH	11-30-05	Gigliotti		Affirms CMH decision to deny Medicaid covered services .
243. 2006-191CMH	1-19-06	Gigliotti		Affirms reduction in CLS hours for nonuse.
244. 2004-3483 CMH	7-15-07	Gigliotti		Client with mental illness services - services terminated because he has been stable for over 1 year. Upheld CMH.
245. 01-0532CMH	1-29-01	Kershul		CMH properly terminated case management services – even though appellant has a mental illness, he is not functionally limited and has ability to independently access services.
246. 01-2939CMH	8-29-01	Kershul	Ottawa	Ottawa County properly denied Appellant public health services. Appellant falls under the discretionary category as a person suffering from a mental illness that is not considered serious.
247. 2005- 3223 & 3224 CMH	8-4-05	Gigliotti		Medically necessary services were denied by CMHSP and judge ordered that CMHSP develop a back up plan with Appellant's mother to avoid a gap in the Appellant's nursing/respite services.
248. 2005-3848 CMH	10-20-05	Meyer		CMH did not err in denying the request for massage and recreational therapy services provided

				through Children's Waiver. Tribunal found that the therapy is not necessary to meet the child's needs and is not the most cost-effective option.
249. 2005-3608CMH	9-21-05	Gigliotti		Appellant does not meet the MDH/CMHSP Managed Specialty Supports and Services eligibility requirements for mental health services through CMH.
250. 2005-25 CMH	10-18-05	Snider		Appellant was properly denied Inpatient Psychiatric Services – diagnosed as DSM Axis 1 and does not meet the severity of illness required.
251. 2005-3827 CMH	10-4-05	Gigliotti		ALJ reversed CMH's decision to deny medically necessary Medicaid covered services and ordered that CMH authorize four individual therapy sessions.
252. 2004-3532CMH	7-30-04	Gigliotti		Person with epilepsy and vision impairment does not meet definition of DD. Upheld CMH.
253. 2004-2583 CMH	7-16-04	Gigliotti		Person's services terminated as they no longer qualified as a person with a mental illness. Upheld CMH.
254. 2004-4001 CMH	7-27-04	Gigliotti		Person meets definition of person with mental illness. CMH did not do what judge ordered – reverse CMH.
255. 2004-4880CMH	9-24-04	Gigliotti		Reverse CMH – they should not have denied him speech therapy and put him on the waiting list.
256. 2004-2731 CMH	7-1-04	Meyer		Person is not mentally ill, but does have a developmental disorder. Upheld CMH decision- no Clubhouse and no targeted case management services.
257. 2004-3275CMH	7-29-04	Meyer		ALJ upheld CMH decision that found targeted case management to NOT be medically necessary.
258. 2004-2942CMH	7-8-04	Meyer		CMH decision affirmed. Targeted case management can be terminated as it is not a medical necessity.
259. 2004-3615CMH	6-28-04	Ketner		ALJ affirmed CMH- person does not meet definition of person with mental illness. Services were properly terminated.
260. 2004-3791 CMH	8-4-04	Ketner		Denial of services by CMH is reversed by

				“common sense requiring it.” This case also defines outpatient mental health services.
261. 2004-3899CMH	9-3-04	Meyer		Affirms that person is not eligible for CMH services, even though they are covered by Adult Benefit Waiver coverage.
262. 2004-2157CMH	6-18-04	Meyer		Affirms denial of respite care. Horrible decision because person has Huntington’s disease and lives with mom in a wheelchair.
263. 2004-2388CMH	8-12-2004	Meyer		Affirms denial of person with Huntington’s disease saying they don’t meet the criteria of a person with a mental illness.
264. 2005-842 CMH	1-31-05	Snider		Denial of Medicaid covered housing services affirmed. Said that CMH can use other money. “Certain Medicaid- funded mental health supports and services may be provided, in addition to the Medicaid State Plan Specialty Supports and Services or Habilitation Waiver Services through the authority of 1915(b)(3) of the Social Security Act.
265. 2004-4956 CMH	1-25-05	Meyer		Skilled nursing services are not covered.
266. 2005-2750 CMH	8-5-05	Goldstein		ALJ reversed CMH’s denial of an additional 12 hour increase of CLS. “It is not within _____ or any PIHP’s authority, to deny medically necessary services to a Medicaid beneficiary, simply because the beneficiary enjoys the privilege of residing in a rent-free dwelling.
267. 2005-2841 CMH	7-12-05	Gigliotti		No eligibility for person who is no longer mentally ill. Person is in “partial remission of Panic Disorder.
268. 2005-3620 CMH	9-23-05	Gigliotti		Did the delay = denial? Not in this case due to the notes in the file. CMH is affirmed.
269. 2005-3976 CMH	10-19-05	Meyer		ALJ affirms CMH’s termination of mental health services due to moving and missing appointments.
270. 2005-3046CMH	8-31-05	Meyer		ALJ affirms movement to less restrictive setting as “sufficient.”
271. 2005-4012CMH	10-5-05	Gigliotti		ALJ affirms CMH denial of services and suggests

				reassessment.
272. 2005-3213 CMH	10-5-05	Snider		ALJ affirmed denial of ICF/MR at Mt. Pleasant.
273. 2005-2739 CMH	8-4-05	Meyer		ALJ affirms decision by CMH to reduce 6 hours of private duty nursing to 6 hours aide level nursing.
274. 2005-3848 CMH	10-20-05	Meyer		ALJ affirms denial of massage and recreational therapy.
275. 2004-3146 CMH	7-10-04	Gigliotti		ALJ upheld reduction in CLS on Children's Waiver by CMH. "Other resources" were mentioned a great deal in the opinion.
276. 2004-4750 CMH	11-12-04	Snider	Oakland	Reduction of private nursing from 16 hours/day to 8 hours/day was affirmed.
277. 03-3881 CMH	9-11-03	Snider	Oakland	Termination of Children's Waiver upheld.
278. 2005-1902 CMH	6-7-05	Snider		ALJ reverses the denial of CLS – orders health/safety monitoring as "medically necessary."
279. 2005-2474 CMH	6-16-05	Gigliotti		ALJ affirms the denial of "individual therapy services" as not medically necessary.
280. 2005-1990 CMH	6-9-05	Meyer		ALJ affirms termination of 1915 (b) services because not DD- no medical necessity.
281. 2005-545 CMH	6-29-05	Snider		TBI person denied eligibility under Michigan definition by CMH.
282. 2005-2473 CMH	6-22-05	Goldstein		ALJ affirms the denial of inpatient psychiatric admission. Decision addresses criteria for admission.
283. 2005-1379 CMH	5-9-05	Meyer		ALJ affirms terminating participation in 1915(b) waiver for non-compliance. Good definition of medical necessity in this decision.
284. 2005-1668 CMH	5-10-05	Ketner		ALJ affirms denial of person's services as they did not qualify as a person with a mental illness.
285. 2005-1268 CMH	4-26-05	Ketner		ALJ affirms that a health club membership is not a Medicaid covered service.
286. 2005-1368 CMH	4-29-05	Ketner		ALJ affirmed the denial of private duty nursing.
287. 2005-1683 CMH	5-27-05	Meyer	Macomb	Affirms MCCMH denial of 2 on 1 respite services. Provides good outline of 3B services.
288. 2004-5049CMH	12-14-04	Meyer		1- Medical necessity from contract 2- Burden on the beneficiary 3- Authority of decisions from other states and

				federal court ALJ affirmed the decision to terminate petitioner's participation in 1915(b) waiver.
289. 2006-3690CMH	10-12-06	Goldstein		ALJ affirms the reduction to the level of care management for a person with a mental illness.
290. 2006-3681CMH	10-26-06	Goldstein		ALJ affirms the decision to deny the CHILD services – doesn't qualify for waiver.
291. 2006-3171CMH	10-24-06	Gigliotti	CMHSP	ALJ affirms termination of waiver services for person with Huntington's.
292. 2006-2539CMH	8-9-06	Goldstein		ALJ affirms the denial of HAB private duty nursing.
293. 2006-2590CMH	8-9-06	Goldstein		ALJ affirmed the decision that appellant is ineligible for CMH services – instead needs substance abuse treatment.
294. 2006-2915CMH	8-22-06	Gigliotti		ALJ affirms the decision to deny appellant's request for therapy, case management, skill building, and prevocational skills. ALJ reasons that because appellant is still in the school system receiving special education services, she does not need Medicaid. Her needs should be addressed through the school system because Medicaid is to be used as a last resort.
295. 2006-3456CMH	9-19-06	Gigliotti		ALJ affirms the denial of case management and skill building services because appellant may not use Medicaid funds to provide services while appellant is still attending special education- it is the responsibility of the school district.
296. 2006-2616	9-20-06	Snider		ALJ affirmed the denial of payment of summer camp as CLS and respite services.
297. 2006-2924CMH	9-5-06	Snider		ALJ reversed the decision to terminate Medicaid covered Medication Treatment/Monitoring and Case Management Outpatient Mental Health Services. Medicaid beneficiaries are entitled to medically necessary Medicaid covered services.
298. 2006-2615CMH	9-20-06	Snider		ALJ affirms the denial of 12 hours of CLS a day and orders a new PCP within 90 days. A child with <u>significant</u> needs must have a home trial

				assessment to coordinate with Adult Home Help and CLS.
299. 2006-2236CMH	7-13-06	Goldstein		ALJ reversed the decision by the department. ALJ said they erred in finding appellant NOT developmentally disabled – he is in fact DD.
300. 2006-2583CMH	8-21-06	Snider		ALJ affirms the denial of ICF-MR. PIHP is allowed the deny service based on cost-effectiveness. Mt. Pleasant is the only service location where ICF-MR services can be used safely and consistently.
301. 2006-3786CMH	11-3-06	Gigliotti	Ingham County	AJL affirms Ingham County’s denial of services – appellant failed to provide sufficient evidence that he has a developmental disability. “The evidence presented shows that the Appellant does not have a substantial functional limitation in 3 or more of the major life activities as required by the Medicaid service eligibility requirements of the Managed Specialty Supports and Services Contract.”
302. 2006-2937CMH	9-27-06	Goldstein		ALJ affirmed the decision that the number of hours that CLS offered appropriately meets the individual’s needs at this time. Individual Plan of Service (IPOS) showed that appellant has a goal of living independently and is safe during the hours of sleep when he is alone. Even though appellant has a fear of the unknown, direct human nighttime supervision is NOT medically necessary at this time.
303. 2006-3266CMH	9-27-06	Goldstein		ALJ affirms the decision to terminate services because appellant does not meet criteria of a person with a mental illness.
304. 2006-3085CMH	9-19-06	Goldstein		ALJ affirms the denial of out-of-home residential placement- this case lays out criteria for the service.
305. 2006-3174CMH	8-29-06	Gigliotti		ALJ affirms the denial of continued individual therapy – therapist does not find it necessary, but appellant does.
306. 2006-3692CMH	10-10-06	Goldstein		ALJ affirms the decision to terminate appellant’s

				mental health services due to missed appointments.
307. 2006-4197CMH	11-9-06	Gigliotti		ALJ affirms the discharge of appellant from Assertive Community Treatment (ACT) and into case management services. Appellant no longer meets the severity and intensity requirements to remain in ACT.
308. 2006-3454CMH	10-17-06	Goldstein		ALJ affirms the decision to reduce appellant's respite hours from 16 per week to 3 per week.
309. 2006-3392CMH	9-27-06	Goldstein		ALJ affirms the decision that appellant is ineligible for managed specialty supports and services. This case gives a detailed definition for criteria of a person with mental illness.
310. 2006-3390CMH	9-26-06	Goldstein		ALJ affirms the decision to reduce appellant's services from ACT to case management services.
311. 2006-2584CMH	8-7-06	Gigliotti		ALJ affirmed CMH's decision to deny long-term residential placement for appellant. "Long-term residential placement is not a Medicaid covered service in the Medicaid Provider Manual."
312. 2006-2578CMH	9-15-06	Gigliotti		ALJ affirms the denial of case management services.
313. 2006-3387CMH	9-21-06	Gigliotti		ALJ affirmed the denial of a service dog for a person with mental illness.
314. 2006-3903 CMH	12-6-06	Goldstein		Department decision to terminate "vibe" a dietary nutritional supplement - REVERSED by ALJ.
315. 2007-60 CMH	1-5-07	Gigliotti		ALJ affirmed termination of CWP private duty nursing.
316. 2007-376 CMH	12-1-06	Gigliotti		Dismiss case that CMH denial re: a transfer isn't an action giving rise to a state hearing. Tribunal does not have jurisdiction.
317. 2007-335 CMH	1-8-07	Gigliotti		ALJ affirms authorization of 55 overnight respites. "The CMH provided sufficient evidence that it adhered to the CFR and state policy when authorizing 55 days of overnight respite for the Appellant. There is insufficient evidence that 55 overnight days of out of home respite is not sufficient to reasonably achieve the purpose of temporarily relieving the primary caregiver."

318. 2006-3389CMH	8-29-06	Gigliotti		IMPORTANT CASE ALJ reversed CMH actions. CMH actions against person with mental illness were improper. The appellant may seek a recipient's rights complaint.
319. 2006-2243CMH	7-10-06	Snider		ALJ affirmed CMH decision – appellant is already enrolled as a Medicaid/Medicare beneficiary and therefore may not be enrolled in a Medicaid Health Plan.
320. 2006-2246CMH	7-10-06	Snider		ALJ affirmed denial of respite services to mom.
321. 2006-2250CMH	6-20-06	Snider		ALJ affirmed the denial of skill building services, stating that they are not medically necessary
322. 2006-2692CMH	7-24-06	Goldstein		ALJ affirmed denial because appellant does not meet the definition of person with mental illness.
323. 2006-1825CMH	7-11-06	Snider		ALJ affirms denial of Assertive Community Treatment services (ACT).
324. 2006-1713CMH	5-26-06	Goldstein		ALJ upholds reduction of CLS Family Life Coaching.
325. 2006-2270CMH	6-9-06	Snider		ALJ affirmed termination of family support subsidiary – kid turned 18.
326. 2006-1961CMH	6-8-06	Gigliotti		ALJ affirmed CMH's denial of long term residential placement for a minor.
327. 2006-2587CMH	7-19-06	Gigliotti		ALJ affirmed CMH's denial of long term residential placement for a minor.
328. 2006-1871CMH	6-8-06	Goldstein		ALJ affirmed denial of respite services.
329. 2006-1870CMH	6-8-06	Goldstein		ALJ affirmed denial of respite services.
330. 2006-4094CMH	4-25-07	Goldstein	Oakland County/MORC	ALJ affirmed denial of Appellant's request to use his Medicaid-funded budget for placement at an out-of-state residential facility.
331. 2006-4192 CMH	1-24-07	Goldstein		ALJ affirmed the department's termination of Appellant's private duty nursing services.
332.				
333.				
334.				

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