

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL
BY THE COMMISSIONER OF HEALTH AND SOCIAL SERVICES**

In the Matter of)
)
 S C) OAH No. 15-0950-APA
) Agency No.

DECISION

On July 8, 2015, S T. C's Alaska Public Assistance (APA) and Medicaid benefits were suspended because his Supplemental Security Income (SSI) benefits were no longer in pay status. On July 13, 2015, Mr. C filled out and submitted a request for a Fair Hearing. Mr. C has a guardian, and thus a hearing request filled out by him alone was probably legally invalid. Nonetheless, the agency referred the matter for hearing.

A brief telephonic hearing was held on September 1, 2015. Mr. C's guardian, T G, participated on his behalf (Mr. C also listened in and spoke at times).

Nothing was in dispute at the hearing. There was no dispute that Ms. G was out of pay status with SSI and had no pending application. There is no dispute that Mr. C's guardian must submit SSI paperwork, and show that she has done so, in order for Mr. C to remain eligible for APA/Medicaid.¹ Ms. G promised to take care of the SSI paperwork on September 2 or 3. She was given until September 11, 2015 to deliver date-stamped copies of the SSI application to the Office of Administrative Hearings.

Ms. G did express a concern during the hearing that she has trouble getting Mr. C to go to SSI to sign paperwork. However, Ms. G is the guardian. She can do the paperwork by herself. Mr. C does not need to sign anything. This was clearly explained to her, and she appeared to understand.

Ms. G did not submit the SSI paperwork as she promised. Accordingly, the record has closed, and the undisputed evidence shows that Mr. C is no longer eligible for Adult Public Assistance and associated Medicaid. The decision of the Division of Public Assistance of July 8, 2015 to suspend his APA/Medicaid is affirmed.

DATED September 28, 2015.

By: Signed
Christopher Kennedy
Administrative Law Judge

¹ See 7 AAC 40.060.

Adoption

The undersigned, by delegation from the Commissioner of Health and Social Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 14th day of October, 2015.

By: Signed _____
Name: Jay D. Durych
Title: Administrative Law Judge, DOA/OAH

[This document has been modified to conform to the technical standards for publication.]