

IN THE OHIO DEPARTMENT OF JOB AND FAMILY SERVICES
BUREAU OF STATE HEARINGS

ADMINISTRATIVE APPEAL SECTION

IN RE APPEAL OF:

DOCKET NO.	2006-AA-0345
APPEAL NO(S).	1273360 / FS 1273841 / MED
AG NO. HEARING REQUEST DATE:	02/21/2006
HEARING DECISION DATE:	03/23/2006 / BWS
APPEAL REQUEST DATE:	04/04/2006
AGENCY:	Franklin CDJFS

Administrative Appeal Decision

The Appellant requests an administrative appeal of the state hearing decision issued on March 23, 2006. The state hearing decision overruled the Appellant's food stamp and Medicaid appeals. The state hearing officer found that the Agency correctly calculated the Appellant's food stamp benefit and determined that the Appellant's Medicaid issue could not be resolved through the state hearing process. The Appellant appeals, stating that she cannot survive on the \$30 in food stamps that she is allotted, given the medical costs she must pay. However, having reviewed the Appellant's food stamp budget, we find that it has been correctly calculated. The Appellant requested the Medicaid hearing because Medicaid failed to pay an \$89 bill that the Appellant incurred in 2004 and the physician is refusing to treat her until the bill is paid. It appears that there is no question that the Appellant was Medicaid eligible for the time period in question. The Appellant should be aware that Medicaid payment to a provider is considered payment in full and the Appellant cannot be held responsible for the payment of a medicaid covered service unless she was notified in writing that the provider would not bill ODJFS, and the Appellant agrees to be liable for payment of the service and signs a written statement to that effect prior to the service being rendered, and the provider explained to the Appellant that the service is a covered medicaid service and other medicaid providers may render the service at no cost¹. The Appellant's provider needs to submit the bill for payment and follow-up with Medicaid if the bill is again denied. The state hearing decision is correct.

¹ Ohio Admin. Code 5101:3-1-13.1

DECISION

Accordingly we must ORDER that the hearing decision be AFFIRMED.



Margaret Adams
Administrative Appeal Officer

CONCUR:



Robert J. Frankart
Administrative Appeal Officer



Robert Mullinax, Attorney-at-Law
Chief Legal Counsel

DATE OF ISSUANCE April 13, 2006

This Administrative Appeal decision is the final decision on this appeal from the state department of job & family services. It is binding on the department and agency, unless it is reversed or modified on appeal to the court of common pleas.

An Appellant who disagrees with this decision may appeal it to the court of common pleas pursuant to sections 119.12 and 5101.35(E) of the Revised Code. The Appellant shall mail a notice of appeal to the department at the following address:

**Ohio Department of Job & Family Services
Office of Legal Services
30 E. Broad Street, 31st Floor
Columbus, OH 43215-3414**

The Appellant must also file the notice of appeal with the court of common pleas in the county in which the Appellant resides (Franklin County, if the Appellant does not reside in Ohio). Please note: Both the mailing to the department and the filing with the court must occur within thirty (30) calendar days of the date of issuance of this decision.

If you have questions about appealing to a court, contact your attorney, local legal aid society, or bar association. If you want information about free legal services, you can call the Ohio State Legal Services Association, toll free, at 1-800-589-5888.

cc: Director, Franklin County Department of Job and Family Services
Hearings Supervisor, BWS, Bureau of State Hearings
Donna Tonkin, Wanda Ellis
Mary Mynatt
Appellant