

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED]

Claimant

Reg. No: 2007-17802
Issue No: 2009
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
December 20, 2007
Genesee County DHS

ADMINISTRATIVE LAW JUDGE: Janice G. Spodarek

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437 upon claimant's request for a hearing to protest the denial of claimant's Medical Assistance (MA) application. After due notice, a telephone conference hearing was held on December 20, 2007.

ISSUE

Whether claimant meets the disability criteria for Medical Assistance (MA)?

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 4/17/07, claimant applied for MA-P with the Michigan DHS.
- (2) Claimant did not apply for retro MA.
- (3) On 7/5/07, MRT denied.
- (4) On 7/18/07, the department issued notice.

(5) On 8/7/07, claimant filed a hearing request.

(6) On 11/16/07, SHRT denied claimant.

(7) On 7/22/08, the local office ran an SOLQ inquiry showing claimant was approved Social Security with a disability onset date of [REDACTED].

(8) The undersigned Administrative Law Judge took a scheduled extended leave on [REDACTED]

CONCLUSIONS OF LAW

Because of the Social Security Administration determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability. PEM, Item 260; PEM, Item 261.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the claimant meets the definition of medically disabled under the Medical Assistance program as of claimant's application date of 4/17/07. If not already done, the department is ORDERED to open an MA case on behalf of claimant from the month of application in accordance with its policy and procedure. The department shall review this case in accordance with its usual policy and procedure.

/s/ _____
Janice G. Spodarek
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: February 17, 2009


Date Mailed: February 17, 2009

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

JGS/cv

cc:

A large black rectangular redaction box covers the names and contact information of the individuals listed in the 'cc:' field.