

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No: 2008-29963  
SOAHR Docket No: 2008-30585 REHD

Claimant

ADMINISTRATIVE LAW JUDGE: Martin D. Snider

**INTERIM ORDER LEAVING RECORD OPEN**

On November 11, 2008, Administrative Law Manager Martin D. Snider issued an Order of Reconsideration. In review of the entire record, good cause has been shown for a reopening of the hearing record. The medical record in this case is insufficient for a determination of the issue of disability. On the motion of the Administrative Law Judge this hearing record is reopened to receive additional medical evidence.

On January 25, 2008 and August 11, 2008, the SHRT issue a Decision in which it determined it lacked sufficient evidence to assess the Claimant's current level of functioning. The SHRT requested additional medical evidence.

The Administrative Law Judge orders the following:

Additional medical information by way of physician examination is ordered. The Department shall arrange for a complete physician examination, by a licensed physician (MD or DO), in narrative format, and should include the following:

1. A brief medical history including past treatment and medication prescribed;
2. Vital signs (height, weight, and blood pressure);
3. Heart and lung sounds, with chest pain description if applicable; and;


4. A brief neurological assessment with the same physician performing this physical examination;
5. Range of motion in degrees, of affected joints/spine & grip strength;
6. Straight leg raises; and,
7. Description of gait (with or without ambulatory device).

This examination shall be accomplished within 90 days of receipt of this order. If the DHS local office does not timely receive the medical reports requested, the DHS local office shall so inform the Administrative Law Judge who will make the decision based on the current record, or, **for good cause shown, may extend the record closing date to allow additional time for the submission of specified evidence.**

If the DHS local office timely receives the medical reports:

- The DHS local office shall submit the new medical to the State Office of Administrative Hearings & Rules, Administrative Tribunal, 1033 South Washington Ave office in Lansing with a cover memo indicating the name of the Administrative Law Judge to whom the case is assigned; and
- The State Office of Hearings & Rules, Administrative Tribunal will resubmit the entire case to SHRT. If SHRT approves claimant's claim, SHRT will send to Administrative Hearings and to the DSS local office a copy of the SHRT decision (DSS-282). The State Office of Hearings & Rules Administrative Tribunal will dismiss the request for hearing if the SHRT decision resolves all issues.

All additional medical information submitted pursuant to this order will be forwarded to the State Hearings Review Team for review and consideration. If the SHRT does not approve Claimant's claim, SHRT will send to the State Office of

  
Reg. No. 2008-29963  
SOAHR Docket No. 2008-30585 REHD  
Interim Order

Hearings & Rules, Administrative Tribunal the SHRT decision (DSS-282) and the medical packet. Subsequently, the undersigned Administrative Law Judge will issue a Reconsideration Order on the merits of the case.

If SHRT approves Claimant's claim, SHRT will send to the State Office of Hearings & Rules, Administrative Tribunal and to the DHS local office a copy of the SHRT decision (DSS-282). The State Office of Administrative Hearings & Rules, Administrative Tribunal will dismiss the request for Reconsideration if the SHRT decision resolves all issues.

/s/ \_\_\_\_\_  
Martin D. Snider  
Administrative Law Judge  
for Marianne Udow, Director  
Department of Human Services

Date Signed: August 27, 2009

Date Mailed: August 27, 2009

cc:

