

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: 2009-11687
Issue No: 2009
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
April 28, 2009
Alpena County DHS

ADMINISTRATIVE LAW JUDGE: Ivona Rairigh

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon claimant's request for a hearing. After due notice, a telephone hearing was held on April 28, 2009. Claimant personally appeared and testified.

Claimant's hearing request was filed on December 19, 2008 to contest department's proposed termination of her Medicaid (MA) disability case based on her no longer being disabled according to federal and/or state definition. State Hearing Review Team denied claimant's MA on February 17, 2009, but also suggested additional medical exam reports be obtained. Hearing record was extended several times so the department could provide additional reports per SHRT decision. On May 24, 2010 department advised that the claimant has been approved for ongoing MA by the Medical Review Team (MRT) after additional medical records were submitted, and that claimant's caseworker misunderstood the hearing process and neglected to inform this Administrative Law Judge of the MRT approval.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.906 and MCL 24.278, claimant's requested for hearing is HEREBY DISMISSED because the claimant is no longer aggrieved by department's action.

/s/ _____
Ivona Rairigh
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: May 25, 2010

Date Mailed: May 26, 2010

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 mailing 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.

IR/tg

cc:

