

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No: 2010-39187  
Issue No: 2018-5000  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
July 22, 2010  
Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Jonathan W. Owens

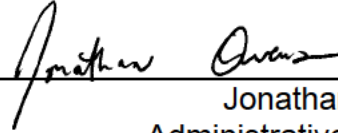
ORDER OF DISMISSAL

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 hearing was held on July 22, 2010. Claimant's representative appeared and testified.

Under Program Administrative Manual Item 600, clients have the right to contest any agency decision affecting eligibility or benefit levels whenever they believe the decision is illegal. The agency provides an Administrative Hearing to review the decision and determine if it is appropriate. Agency policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when the agency receives a hearing request and continues through the day of the hearing.

In the present case, on March 8, 2010, the Claimant requested a hearing, protesting actions taken on a SER application and her Medicaid benefits. On January 20, 2010, the Claimant applied for SER for property taxes and Medical. On February 6, 2010, SER approved with a need for co-payment of \$1375.74 and state paid \$630.07. The Claimant disputes the co-payment requirement. On March 16, 2010, pre-hearing conference settled the medical issue. On March 20, 2010, Department waived the co-payment again and then denied payment based upon finding the home is not her usual residence. The Department agreed during the hearing to reprocess the SER and pay the \$1375.74 co-payment. The Claimant agreed to this action being taken by the Department.

Since the Department and Claimant have reached an agreement, there is nothing for this Administrative Law Judge to consider; therefore, this case is DISMISSED.



Jonathan W. Owens  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: 08/10/10

Date Mailed: 08/08/10

**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.

JWO/dj

cc:

