

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

IN THE MATTER OF:



Reg No. 201041427
Issue No. 2009/4031
Case No. [REDACTED]
Load No. [REDACTED]
Hearing Date: October 28, 2010
Macomb County DHS

ADMINISTRATIVE LAW JUDGE: Marlene B. Magyar

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the claimant's request for a hearing. After due notice, a telephone hearing was held on October 28, 2010. Claimant personally appeared and testified.

ISSUE

Did the department properly deny claimant's Medicaid (MA) and State Disability Assistance (SDA) application based on a finding he lacks a legally disabling condition?

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 April 15, 2010, claimant applied for MA/SDA.
2. When the department denied that application claimant requested a hearing by written notice dated June 23, 2010.
3. Claimant's hearing was held on October 28, 2010.
4. While his appeal was pending, claimant was determined disabled by the Social Security Administration (SSA), with onset established as of May 7, 2010, per a Fully Favorable Decision issued on December 23, 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 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.

MBM/db

cc:

