

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED], Deceased,  
Claimant

Reg. No: 2010-801  
Issue No: 2000  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
May 5, 2010  
Midland 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 May 5, 2010. Claimant is deceased. Appearing on claimant's behalf was her son

[REDACTED].

Claimant's hearing request was filed on August 6, 2009, contesting a Medicaid (MA) denial for March, 2009 due to excess assets, and subsequent non-payment of long term care expenses for this month. Claimant was approved for MA effective April 1, 2009. Claimant is deceased as is her spouse. Departmental policy states that only a spouse may be an authorized hearing representative for a deceased claimant. BAM 600. Claimant's son therefore cannot be an authorized hearing representative, and has no right to a hearing on behalf of the claimant.

Claimant's hearing request is hereby DISMISSED in accordance with MAC 400.906.

SO ORDERED.

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

Date Signed: May 18, 2010

Date Mailed: May 19, 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:

