

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201033570

Issue No: 4031

[REDACTED] [REDACTED]
Hearing Date: June 3, 2010
Mackinac County DHS

ADMINISTRATIVE LAW JUDGE: Janice Spodarek

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437 upon claimant's request for a hearing to protest the denial of claimant's application for MA and SDA. After due notice, a hearing was held on June 3, 2010. Claimant was represented at the hearing by [REDACTED].

ISSUE

Whether claimant meets the disability criteria for State Disability Assistance (SDA)?

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 January 21, 2010, claimant applied for SDA with the Michigan DHS.
- (2) The department indicated that claimant did not apply for Medical Assistance (MA) but has a need for MA.
- (3) On February 25, 2010, MRT denied.
- (4) On March 3, 2010, the department issued notice.
- (5) On May 5, 2010, claimant filed a hearing request.

- (6) On May 14, 2010, SHRT denied claimant.
- (7) Subsequent to the hearing, the Social Security Administration determined that the claimant met the disability criteria for the programs with a disability onset date of April 1, 2007.
- (8) On October 28, 2010, the undersigned Administrative Law Judge received an SOLQ SSA Response Report indicating claimant was approved disability benefits by SSA by was of a decision by [REDACTED] dated September 24, 2010. Claimant's onset date is identified as April 1, 2007. There are no months left for a substantive review in the case herein.

CONCLUSIONS OF LAW

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Because of the Social Security Administration determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability. PEM, Item 260; PEM, Item 261.

The department is required to initiate a determination of claimant's financial eligibility for the requested benefits, if required by DHS policy and procedure.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the claimant meets the definition of medically disabled under the SDA program as of claimant's January 21, 2010 application date, if otherwise eligible if permitted under policy and procedure. Claimant probably will not be income eligible due to the SSI approval. The income eligibility is not reviewed herein.

The department shall review this case in accordance with its usual policy and procedure.

