

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

IN THE MATTER OF:



Reg. No: 201054200
Issue No: 2000



St. Clair County DHS

ADMINISTRATIVE LAW JUDGE: Kevin Scully

HEARING DECISION

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37; upon claimant's request for a hearing filed on August 10, 2010. After due notice, a hearing was held Wednesday, January 19, 2011. The law, MCL 24.278(2) provides that a disposition may be made of a contested case hearing by stipulation or agreed settlement. In this case, the Claimant was approved for Medical Assistance with a deductible.

Prior to the closure of the hearing record, the Department stipulated that it did not consider the Claimant's eligibility for Medical Assistance in accordance with policy.

Claimant retains a right to request a hearing on the above FAP eligibility determination as long as he does so within 90 days from the date of the department's written notice, pursuant to PAM Item 600.

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 400.903, claimant's hearing request is **HEREBY DISMISSED**, because claimant is no longer aggrieved by a department action.

DECISION AND ORDER

The Administrative Law Judge based on the agreed upon settlement **ORDERS** that Claimant's hearing request is **REVERSED**; and the department shall:

1. Initiate a determination of the Claimant's eligibility as of August 1, 2010.
2. Provide the Claimant with written notification of the Department's revised eligibility determination.
3. Issue the Claimant any retroactive benefits she may be eligible to receive, if any.

