

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],

Claimant

BY: [REDACTED]

Reg. No: 2010-9427

Issue No: 2000

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

April 29, 2010

Gratiot 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 April 29, 2010. Claimant is deceased. Appearing on claimant's behalf was her

[REDACTED].

Claimant's hearing request was filed on July 30, 2009, contesting a Medicaid (MA) deductible amount determined by the department. 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 daughter 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 4, 2010

Date Mailed: May 4, 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:

