

STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 20111319  
Issue No: 4031  
[REDACTED]  
Hearing Date: June 21, 2011  
Hillsdale County DHS

**ADMINISTRATIVE LAW JUDGE:** Janice G. Spodarek

**HEARING DECISION**

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 to protest the proposed closure of claimant's State Disability Assistance (SDA) at review.. After due notice, an in-person hearing was held on June 21, 2011.

**ISSUE**

Whether claimant meets the disability criteria for continuing SDA at review?

**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 June, 2010, claimant's SDA was reviewed.
2. There is no MA issue herein.
3. On December 1, 2010, MRT denied.
4. On December 6, 2010, the department issued notice.
5. On December 14, 2010, claimant filed a hearing request.
6. On January 11, 2011, SHRT denied claimant.
7. At the administrative hearing, claimant presented evidence that subsequent to the application, the SSA approved claimant SSI pursuant to March 15, 2010 application with a disability onset date of March 15, 2010 by way of a fully favorable Administrative Law Judge decision at the federal level.

8. On June 21, 2011, the undersigned Administrative Law Judge received an SOLQ SSA Response Report indicating claimant was approved disability benefits by SSA. Claimant's onset date is identified as March 15, 2010. There are no months left for a substantive review in the case herein.
9. Claimant understands that he may be eligible to have an MA case opened pursuant to the favorable Social Security Ruling.

### **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 for continuing eligibility as of the June 2010 review month, and as permitted under policy and procedure.

Accordingly, the department's proposed closure of claimant's SDA at review is hereby REVERSED.

/s/ \_\_\_\_\_  
Janice G. Spodarek  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: June 24, 2011

Date Mailed: June 25, 2011

**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.

JGS/db

cc:

