

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-31928
Issue No.: 2009
Case No.: [REDACTED]
Hearing Date: August 18, 2011
Macomb County DHS (20)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge upon the Claimant's request for a hearing made pursuant to MCL 400.9 and MCL 400.37, which govern the administrative hearing and appeal process. After due notice, a hearing was held in Detroit, Michigan on Thursday, August 18, 2011. The Claimant appeared, along with [REDACTED] and testified. The Claimant was represented by [REDACTED] [REDACTED] appeared on behalf of the Department of Human Services ("Department").

Additional evidence was submitted pursuant to an Interim Order Extending the Record dated August 22, 2011. The medical records were received and forwarded to the State Hearing Review Team ("SHRT") for consideration. On December 29, 2011, this office received the SHRT determination which approved the Claimant for Medical Assistance based on disability ("MA-P") and retroactive MA-P benefits effective August 2010.

As the Department has reversed itself, finding the Claimant eligible for MA-P benefits, the Claimant's hearing request becomes moot; therefore,

IT IS ORDERED:

1. The Department shall initiate processing of the Claimant's application for MA-P dated November 3, 2010, to include the applicable retroactive months, pursuant to Department policy based upon the SHRT approval.
2. The Department shall notify the Claimant and his Authorized Hearing Representative of the determination in accordance with department policy.

3. The Department shall supplement for lost benefits (if any) that the Claimant was entitled to receive if otherwise eligible and qualified in accordance with department policy.
4. The Department shall review the Claimant's continued eligibility in accordance with department policy in February 2013.
5. The Claimant's hearing request is DISMISSED.

Colleen M. Mamelka

Colleen M. Mamelka
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: January 13, 2012

Date Mailed: January 13, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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. (60 days for FAP cases)

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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at

Michigan Administrative Hearings
Reconsideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

CMM/cl

cc:

