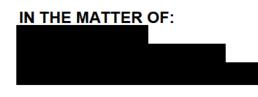
STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES



Reg No.: 2011-39080 Issue No.: 2009 Case No.: Hearing Date: September 29, 2011 Wayne County DHS (82)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

ORDER OF DISMISSAL

This matter is before the undersigned Administ rative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a hearing was held in Detroit, Michigan on Thursd ay, September 29, 2011. The Claimant appeared, along with the contract of the claimant appeared and the contract of the claimant was represented by

appeared on behalf of the Department of Human Services ("Department").

Additional evidence was submitted pursuant to an Interim Order Extending the Rec ord dated September 29, 2011. The medical record s were received and forwarded to the State Hearing Rev iew Team ("SHRT") for cons ideration. On February 23, 2012, this office received the SHRT deter mination which approved the Claimant for Medical Assistance based on disabilit y ("MA-P") and retroactive MA-P be nefits effective December 2010.

As the Department has reversed itself, findiing 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 March 22, 2011 with retroactive benefits effective December 2010, pursuant to Department policy based upon the SHRT approval.
- 2. The Department shall notify the Claimant and her Authorized Hearing Representative of the determination in accordance with department policy.

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

Colleen M. Mamilka

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

Date Signed: March 1, 2012

Date Mailed: March 1, 2012

NOTICE: Michigan Administrative Hearing Syst em (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order . MAHS will not order a rehearing or reconsideration on the Department's mo tion where the final decis ion 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 <u>MAY</u> 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, math ematical 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

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

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