

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-40714
Issue No.: 2009
Case No.: [REDACTED]
Hearing Date: October 10, 2011
DHS County: Macomb (50-20)

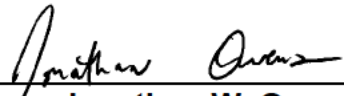
ADMINISTRATIVE LAW JUDGE: Jonathan W. Owens

HEARING 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, an in-person hearing was held on October 10, 2011, in Warren, MI. Claimant appeared and testified. Claimant was represented by [REDACTED]. The Department of Human Services (Department) was represented by [REDACTED].

After the hearing, this Administrative Law Judge discovered that the Social Security Administration (SSA) had denied Claimant's application dated March 21, 2008, with an alleged onset date of January 1, 2002. That decision was entered on August 5, 2010, and indicated a finding of not disabled from January 2002 through the date of hearing decision. Claimant failed to appeal this determination. The medical evidence of record does not show any "other" impairments not considered by SSA nor does the record demonstrate objective findings which would show significant worsening of Claimant's condition. Based upon 42 CFR 435.541, SSA has made a final determination. Therefore, a final determination has been made on this matter. Per BEM 260, pp. 2-3, Claimant's case is hereby dismissed.

Administrative Hearings' jurisdiction ends when the SSA denies the grant of benefits and an appeal of this determination is not made within 60 days. Therefore, this Administrative Law Judge does not retain jurisdiction in this matter and the Claimant's request for a hearing is DISMISSED.



Jonathan W. Owens
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: November 8, 2011

Date Mailed: November 8, 2011

NOTICE: 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

JWO/pf

cc:

