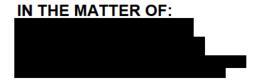
# STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM

## ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES



Reg No.: 2011-53031 Issue No.: 2009, 4031 Case No.:

Hearing Date: January 19, 2012 Macomb County DHS (20)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

#### **DECISION AND ORDER**

This matter is before the undersigned Admini strative Law Judge upon the Claimant's request for a hearing made purs uant to MCL 400.9 and MCL 400.37, which govern the administrative hearing and appeal process. After due notice, a hearing was held in Warren, Michigan on Thursday, January 19, 2012. The Claimant appeared, along with and testified. The Claimant was represented by appeared on behalf of the Department of Human Services ("Department").

During the hearing, the Claimant waived the time period for the issuance of this decision in order to allow for the submission of additional medical records. The evidence was received and forwarded to the State Hearing Review Team ("SHRT") for consideration. On June 25 2012, this office received the SHRT determination which approved the Claimant for MA-P and SDA benefits based on disability effective November 2010.

#### Accordingly, it is ORDERED:

- 1. The Department's determination that the Claimant is not disabled is not upheld.
- The Department shall initiate processi ng of the Claimant's applic ation for MA-P and SDA benefits dated February 24, 2011, to include any applicable retroactive months, to determine if all other non-m edical criter ia are met pursuant to Department policy based on the SHRT determination.
- 3. The Department shall notify the Claimant and her Authorized Hearing Representative of the determination in accordance with Department policy.

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- The Department shall supplement for lost benefits (if any) that the Claimant was entitled to receive if otherwise elig ible and qualified in accordance with Department policy.
- 5. The Department shall review the Claimant's continued el igibility in July 2013 in accordance with Department policy.

Colleen M. Mamelka

Administrative Law Judge for Maura Corrigan, Director Department of Human Services

Collein M. Mamilka

Date Signed: July 6, 2012

Date Mailed: July 6, 2012

<u>NOTICE</u>: 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 ti mely 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

consideration/Rehearing Request

P. O. Box 30639

Re

Lansing, Michigan 48909-07322

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## CMM/cl

