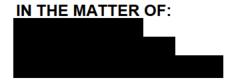
STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE

DEPARTMENT OF HUMAN SERVICES



Reg No.: 2011-54890

Issue No.: 2009

Case No.:

Hearing Date: December 5, 2011

Wayne County DHS (82)

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 Detroit, Michigan on Monday, December 5, 2011. The Claimant appeared 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 Medical Assistance based on disability ("MA-P") effective April 2011.

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 dated July 14, 2011, retroactive to Apr il 2011, to determine if all other nonmedical criteria are met pursuant to Department policy bas ed on the SHRT determination.
- 3. The Department shall notify the Claimant and his Authorized Hearing Representative of the determination in accordance with Department policy.

2011-54890/CMM

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

Colleen M. Mamuka

Colleen M. Mamuka

Administrative Law Judge
for Maura Corrigan, Director

Department of Human Services

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 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

Re consideration/Rehearing Request

P. O. Box 30639

Lansing, Michigan 48909-07322

2011-54890/CMM

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