

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-15200
Issue No.: 2009
Case No.: [REDACTED]
Hearing Date: May 18, 2011
DHS County: Oakland (63-04)


ADMINISTRATIVE LAW JUDGE: Jonathan W. Owens

NOTICE OF DISMISSAL

An administrative hearing was scheduled on May 18, 2011. During the hearing, this Administrative Law Judge discovered that the Social Security Administration (SSA) had denied Claimant's application dated June 14, 2010, on November 9, 2010. Claimant testified he applied for State benefits based upon the same conditions alleged on his application for Social Security benefits. Claimant failed to appeal the SSA 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 Claimant's request for a hearing is DISMISSED.


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

Date Signed: May 24, 2011

2011-15200/JWO

Date Mailed: May 24, 2011

NOTICE: Administrative Hearings 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. Administrative Hearings 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.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing 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.

JWO/pf

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