

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201115979
Issue No: 2010
Case No: [REDACTED]
Hearing Date: May 18, 2011
Mecosta County DHS

ADMINISTRATIVE LAW JUDGE: William A. Sundquist

HEARING DECISION

This matter is before the undersigned Administrative Law Judge (ALJ) pursuant to MCL 400.9 and MCL 400.37 upon the claimant's request for a hearing. After due notice, a telephone hearing was held on May 18, 2011. The claimant appeared and testified.

ISSUE

Do ALJ's have authority to grant equitable decisions?

FINDINGS OF FACT

The ALJ based upon the competent, material, and substantial evidence on the whole record, finds a material fact:

- (1) On [REDACTED], claimant sold her home to a son and retained a life estate.
- (2) In 2005, the claimant was approved for MA deductible.
- (3) On [REDACTED], the claimant had terminated her life estate.
- (4) On [REDACTED], the claimant went into [REDACTED] with an active deductible and applied for full MA.
- (5) On January 11, 2011, claimant's MA application was approved with divestment penalty.

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 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.

WAS/ar

cc:

