

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

IN THE MATTER OF:



Reg No. 2011-18542
Issue No. 4031
Case No. [REDACTED]
Hearing Date: April 28, 2011
Kalamazoo County DHS

ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437 upon claimant's January 31, , 2011 request for a hearing to protest the department's denial of State Disability Assistance (SDA). After due notice, a telephone hearing was held Thursday, April 28, 2011. The claimant personally appeared and testified on his own behalf.

ISSUE

Whether the claimant meets the disability criteria for SDA?

FINDINGS OF FACT

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

1. On November 18, 2010, the claimant had a medical review for SDA.
2. Subsequent to the hearing, the Social Security Administration determined that the claimant met the disability criteria for the RSDI and SSI program with a disability onset date of March 1, 2009.

CONCLUSIONS OF LAW

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Because of the Social Security Administration determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability. PEM, Item 260; PEM, Item 261.

The claimant is eligible for SDA benefits retroactive to November 2010.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law decides that the claimant meets the definition of medically disabled under the SDA program retroactive to November 2010.

Accordingly, the department is ORDERED to initiate a review of the November 18, 2010 medical review application, if it has not already done so, to determine if all other non-medical eligibility criteria are met. The department shall inform the claimant of the determination in writing.

/s/ _____
Carmen G. Fahie
Administrative Law Judge
For Maura D. Corrigan, Director
Department of Human Services

Date Signed: 5/3/12 _____

Date Mailed: 5/3/12 _____

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.

CGF/ds

