

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

IN THE MATTER OF:

██████████  
██  
██

Reg. No: 201119123  
Issue No: 2000  
Case No: ██████████

Hearing Date:  
May 12, 2011  
Genesee County DHS

**ADMINISTRATIVE LAW JUDGE:** Kevin Scully

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37. Claimant's request for a hearing was received on December 27, 2010. After due notice, a telephone hearing was held on Thursday, May 12, 2011. The Claimant was represented during the hearing by his Authorized Hearings Representative (AHR).

The Claimant's representative submitted an application for Medical Assistance (MA) on July 30, 2010. The Department denied benefits under the Adult Medical Program (AMP) on September 11, 2010. The Department later submitted the Claimant's application to the Medical Review Team (MRT) for further consideration for Medical Assistance (MA) under the disability category.

The Department received the Claimant's request for a hearing on December 27, 2010, protesting the denial of Medical Assistance (MA).

According to Department policy, the Michigan Administrative Hearing System (MAHS) may grant a hearing about any of the following:

- Denial of an application and/or supplemental payments.
- Reduction in the amount of program benefits or service.
- Suspension or termination of program benefits or service.
- Restrictions under which benefits or services are provided.
- Delay of any action beyond standards of promptness.
- For FAP only, the current level of benefits or denial of expedited service.

At the time the Claimant submitted his hearing request, the Department had not made a termination of the Claimant's eligibility for disability based Medical Assistance (MA) based on his July 30, 2010, application. While the Department's determination of the Claimant's eligibility for Medical Assistance (MA) was untimely, there has been no denial of benefits. Therefore, the Claimant's grievance does not fall into one of these categories, and there had been no Department negative action.

**DECISION AND ORDER**

The Claimant's request is **HEREBY DISMISSED**, because the Michigan Administrative Hearing System for the Department lacks jurisdiction to hear and decide the Claimant's issue.

/s/ \_\_\_\_\_  
Kevin Scully  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: May 24, 2011

Date Mailed: May 25, 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 60 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.

KS/tg

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