

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
FOR THE DEPARTMENT OF COMMUNITY HEALTH**
P.O. Box 30763, Lansing, MI 48909
(877) 833-0870; Fax: (517) 334-9505

IN THE MATTER OF:

██████████,

Appellant

_____ /

Docket No. 2011-23873 PA

Case No. ██████████

DECISION AND ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 42 CFR 431.200 *et seq.*, upon the Appellant's request for a hearing.

After due notice, a hearing commenced on ██████████. The Department representative explained and demonstrated with document evidence that the Appellant's request for an Aquatec bathing system was denied because ██████████ never responded to its request to explain why the lesser expensive shower seating system, that did not lower a person in a bathtub, did not meet medical necessity for Appellant.

The Appellant's ██████████ agreed to withdraw Appellant's request for hearing in order to pursue a new submission, by having ██████████ submit a new request with the needed statements of medical necessity for lateral transfer and soaking in bath water.

Being that the Appellant withdrew her request for hearing,

IT IS THEREFORE ORDERED that:

The above-captioned matter is DISMISSED.

Lisa K. Gigliotti
Administrative Law Judge
for Olga Dazzo, Director
Michigan Department of Community Health

cc: ██████████

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Date Mailed: 5/12/2011

***** NOTICE *****

The Michigan Administrative Hearing System may order a rehearing on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. The Michigan Administrative Hearing System will not order a rehearing on the Department's motion where the final decision or rehearing cannot be implemented within 90 days of the filing of the original request. The Appellant 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 of the rehearing decision.