

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-40
Issue No.: 2012
Case No.: [REDACTED]
Hearing Date: February 14, 2011
DHS County: Macomb (50-36)

ADMINISTRATIVE LAW JUDGE: Jonathan W. Owens


ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing. After due notice, a hearing was held on February 14, 2011. Claimant's representative appeared.

Under Program Administrative Manual Item 600, clients have the right to contest any Department of Human Services' (Department) decision affecting eligibility or benefit levels whenever they believe the decision is illegal. The Department provides an Administrative Hearing to review the decision and determine if it is appropriate. Department policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when the Department receives a hearing request and continue through the day of the hearing.

In the present case, on October 27, 2009, Claimant applied for Medicaid based upon disability including retro back to July 2009. The Department determined eligibility for the Adult Medical Program but failed to process for disability based Medicaid. During the hearing, the Department agreed to reprocess Claimant's application dated October 27, 2009, including the request for retro back to July 2009. Claimant's representative agreed to this action being taken by the Department.

Since the Department and Claimant's representative have reached an agreement, there is nothing for this Administrative Law Judge to consider; therefore, this case is DISMISSED.


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

Date Signed: February 24, 2011

2011-40/JWO

Date Mailed: February 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

cc:

