

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

**IN THE MATTER OF:**

[REDACTED]

Reg No.: 2012-31458  
Issue No.: 2009, 4031  
Case No.: [REDACTED]  
Hearing Date: April 19, 2012  
Wayne County DHS (43)

**ADMINISTRATIVE LAW JUDGE:** Colleen M. Mamelka

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan on Thursday, April 19, 2012. The Claimant appeared, along with [REDACTED] and testified. Participating on behalf of the Department of Human Services ("Department") was [REDACTED].

During the hearing, the Claimant waived the time period for the issuance of this decision, in order to allow for the submission of additional medical evidence. The records were received, reviewed, and forwarded to the State Hearing Review Team ("SHRT") for consideration. On August 22, 2012, this office received the SHRT determination which found the Claimant not disabled. This matter is now before the undersigned for a final decision.

**ISSUE**

Whether the Department properly determined that the Claimant was not disabled for purposes of the Medical Assistance ("MA-P") and State Disability Assistance ("SDA") benefit programs?

**FINDINGS OF FACT**

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

1. The Claimant submitted an application for public assistance seeking MA-P and SDA benefits on September 6, 2011.

2012-31458/CMM

2. On November 22, 2011, the Medical Review Team (“MRT”) found the Claimant not disabled. (Exhibit 1, pp. 3, 4)
3. On March 27, 2012, the Department notified the Claimant of the MRT determination.
4. On February 7, 2012, the Department received the Claimant’s written request for hearing. (Exhibit 1, p. 2)
5. On March 22<sup>nd</sup> and August 16, 2012, the SHRT found the Claimant not disabled. (Exhibit 2)
6. The Claimant alleged physical disabling impairments due to back pain with radiation, asthma, high blood pressure, and abdominal pain.
7. The Claimant has not alleged any mental disabling impairment(s).
8. At the time of hearing, the Claimant was 50 years old with a [REDACTED] birth date; was 5’2” in height; and weighed 167 pounds.
9. The Claimant has a limited education with some vocational training and an employment history as a care provider and general laborer.
10. The Claimant’s impairments have lasted, or are expected to last, continuously for a period of 12 months or longer.

### **CONCLUSIONS OF LAW**

The Medical Assistance program is established by Subchapter XIX of Chapter 7 of The Public Health & Welfare Act, 42 USC 1397, and is administered by the Department of Human Services, formerly known as the Family Independence Agency, pursuant to MCL 400.10 *et seq.* and MCL 400.105. Department policies are found in the Bridges Administrative Manual (“BAM”), the Bridges Eligibility Manual (“BEM”), and the Bridges Reference Tables (“RFT”).

Disability is defined as the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months. 20 CFR 416.905(a). The person claiming a physical or mental disability has the burden to establish it through the use of competent medical evidence from qualified medical sources such as his or her medical history, clinical/laboratory findings, diagnosis/prescribed treatment, prognosis for recovery and/or medical assessment of ability to do work-related activities or ability to reason and make

appropriate mental adjustments, if a mental disability is alleged. 20 CFR 416.913. An individual's subjective pain complaints are not, in and of themselves, sufficient to establish disability. 20 CFR 416.908; 20 CFR 416.929(a). Similarly, conclusory statements by a physician or mental health professional that an individual is disabled or blind, absent supporting medical evidence, is insufficient to establish disability. 20 CFR 416.927.

When determining disability, the federal regulations require several factors to be considered including: (1) the location/duration/frequency/intensity of an applicant's pain; (2) the type/dosage/effectiveness/side effects of any medication the applicant takes to relieve pain; (3) any treatment other than pain medication that the applicant has received to relieve pain; and (4) the effect of the applicant's pain on his or her ability to do basic work activities. 20 CFR 416.929(c)(3). The applicant's pain must be assessed to determine the extent of his or her functional limitation(s) in light of the objective medical evidence presented. 20 CFR 416.929(c)(2).

In order to determine whether or not an individual is disabled, federal regulations require a five-step sequential evaluation process be utilized. 20 CFR 416.920(a)(1). The five-step analysis requires the trier of fact to consider an individual's current work activity; the severity of the impairment(s) both in duration and whether it meets or equals a listed impairment in Appendix 1; residual functional capacity to determine whether an individual can perform past relevant work; and residual functional capacity along with vocational factors (i.e. age, education, and work experience) to determine if an individual can adjust to other work. 20 CFR 416.920(a)(4); 20 CFR 416.945.

If an individual is found disabled, or not disabled, at any step, a determination or decision is made with no need to evaluate subsequent steps. 20 CFR 416.920(a)(4). If a determination cannot be made that an individual is disabled, or not disabled, at a particular step, the next step is required. 20 CFR 416.920(a)(4). If an impairment does not meet or equal a listed impairment, an individual's residual functional capacity is assessed before moving from step three to step four. 20 CFR 416.920(a)(4); 20 CFR 416.945. Residual functional capacity is the most an individual can do despite the limitations based on all relevant evidence. 20 CFR 416.945(a)(1). An individual's residual functional capacity assessment is evaluated at both steps four and five. 20 CFR 416.920(a)(4). In determining disability, an individual's functional capacity to perform basic work activities is evaluated and if found that the individual has the ability to perform basic work activities without significant limitation, disability will not be found. 20 CFR 416.994(b)(1)(iv). In general, the individual has the responsibility to prove disability. 20 CFR 416.912(a). An impairment or combination of impairments is not severe if it does not significantly limit an individual's physical or mental ability to do basic work activities. 20 CFR 416.921(a). The individual has the responsibility to provide evidence of prior work experience; efforts to work; and any other factor showing how the impairment affects the ability to work. 20 CFR 416.912(c)(3)(5)(6).

As outlined above, the first step looks at the individual's current work activity. In the record presented, the Claimant is not involved in substantial gainful activity therefore is not ineligible for disability benefits under Step 1.

The severity of the Claimant's alleged impairment(s) is considered under Step 2. The Claimant bears the burden to present sufficient objective medical evidence to substantiate the alleged disabling impairments. In order to be considered disabled for MA purposes, the impairment must be severe. 20 CFR 416.920(a)(4)(ii); 20 CFR 416.920(b). An impairment, or combination of impairments, is severe if it significantly limits an individual's physical or mental ability to do basic work activities regardless of age, education and work experience. 20 CFR 416.920(a)(4)(ii); 20 CFR 416.920(c). Basic work activities means the abilities and aptitudes necessary to do most jobs. 20 CFR 416.921(b). Examples include:

1. Physical functions such as walking, standing, sitting, lifting, pushing, pulling, reaching, carrying, or handling;
2. Capacities for seeing, hearing, and speaking;
3. Understanding, carrying out, and remembering simple instructions;
4. Use of judgment;
5. Responding appropriately to supervision, co-workers and usual work situations; and
6. Dealing with changes in a routine work setting.

*Id.*

The second step allows for dismissal of a disability claim obviously lacking in medical merit. *Higgs v Bowen*, 880 F2d 860, 862 (CA 6, 1988). The severity requirement may still be employed as an administrative convenience to screen out claims that are totally groundless solely from a medical standpoint. *Id.* at 863 citing *Farris v Sec of Health and Human Services*, 773 F2d 85, 90 n.1 (CA 6, 1985). An impairment qualifies as non-severe only if, regardless of a claimant's age, education, or work experience, the impairment would not affect the claimant's ability to work. *Salmi v Sec of Health and Human Services*, 774 F2d 685, 692 (CA 6, 1985).

In the present case, the Claimant alleges disability due to back pain with radiation, asthma, high blood pressure, and abdominal pain.

2012-31458/CMM

On [REDACTED], the Claimant was admitted to the hospital with complaints of abdominal pain and back pain. The Claimant was treated and discharged the following day with the diagnoses of acute abdominal pain (suspected gastritis), mild pancreatitis, and acute trichomonas vaginitis.

On [REDACTED], the Claimant was treated for back and abdominal pain. An ultrasound of the abdomen revealed a fatty liver. The diagnosis was back pain.

On [REDACTED] the Claimant was treated for left leg pain, lumbar back pain, and abdominal pain. An ultrasound found no evidence of deep vein thrombosis and mild lymphadenopathy in the left groin. The diagnosis was painful moving of toes and legs.

On [REDACTED], the Claimant presented to the hospital with complaints of abdominal pain. A CT of the abdomen and pelvis revealed re-demonstration of hepatic cavernous hemangioma. The diagnoses were dizziness and back pain.

On [REDACTED] the Claimant presented to the hospital with complaints of leg cramps. X-rays revealed end plate changes at L5-S1. The Claimant was treated and discharged with the diagnosis of lumbar radiculopathy.

On [REDACTED] the Claimant was admitted to the hospital with complaints of back pain. A CT of the pelvis and abdomen found non-specific mildly enlarged bilateral pelvic sidewall lymph nodes and slightly heterogeneous and enlarged uterus, likely on the basis of fibroid changes. The Claimant was discharged the following day with the diagnoses of back pain, hypokalemia, and hemangioma of the liver.

On [REDACTED] a Medical Examination Report was completed on behalf of the Claimant. The current diagnoses were hypertension, diabetes, and tobacco disorder. The physical examination documented a limp, positive right leg raise, and sciatica. The Claimant's condition was deteriorating.

On [REDACTED], the Claimant presented to the hospital with complaints of abdominal pain. An ultrasound revealed slightly hyperechoic massing arising from the inferior margin of the right lobe of the liver suggestive of hemangioma. The Claimant was treated and discharged with the diagnoses of abdominal pain, etiology unknown, diabetes mellitus, diabetic neuropathy, hypertension, and lumbar radiculopathy.

On [REDACTED] the Claimant presented to the hospital with complaints of back pain and abdominal pain. The Claimant was discharged the following day with the diagnoses of sciatica and peptic ulcer disease.

On [REDACTED], the Claimant presented to the hospital with complaints of epigastric pain. The Claimant was discharged the following day with the diagnoses of peptic ulcer disease.

On [REDACTED], the Claimant presented to the hospital with complaints of pain, back pain, abdominal pain, headaches and nausea. The Claimant was treated and discharged the following day with the diagnoses of leg pain.

On [REDACTED] the Claimant presented to the hospital with complaints of generalized pain. The Claimant was treated and discharged the same day noting possible osteoarthritis of the hips. The diagnoses were acute exacerbation of chronic low back pain and acute exacerbation of chronic radiculopathy.

On [REDACTED] the Claimant presented to the hospital with complaints of worsening abdominal pain, nausea, and vomiting. The Claimant was discharged on December 21<sup>st</sup> with the diagnoses of abdominal pain, likely secondary to gastritis/duodenitis, acute bronchitis, and hypokalemia. Secondary diagnoses were diabetes mellitus and hypertension.

On [REDACTED] a MRI of the lumbosacral spine revealed in the mid and lower lumbar region.

On [REDACTED], the Claimant was admitted to the hospital with complaints of dizziness and feeling light-headed, along with vomiting. The Claimant was discharged on January 8<sup>th</sup> with the diagnoses of acute renal failure due to hypovolemia.

On [REDACTED] the Claimant presented to the hospital with complaints of rectal bleeding. The Claimant was treated and discharged with the diagnoses of rectal bleeding and abdominal pain.

On [REDACTED] an endoscopy revealed moderate gastritis. A colonoscopy showed 3 small polyps.

On [REDACTED], the Claimant presented to the hospital with complaints of abdominal pain with nausea and vomiting. An echocardiogram revealed sinus tachycardia, pulmonary disease pattern, and left anterior fascicular block. The Claimant was discharged on February 18<sup>th</sup>, with the diagnoses of pneumonia, diabetes mellitus, hypertension, and anemia.

On [REDACTED] the Claimant attended a follow-up appointment where she was diagnosed with low back pain with radiation down on L5-S1. The MRI showed degenerative disc disease. A CT of the pelvis and abdomen showed mesenteric vessels and stable giant liver hemangioma.

On [REDACTED] the Claimant attended a follow-up appointment where she was diagnosed with acute kidney injury, hypertension, and iron-deficiency anemia.

2012-31458/CMM

On [REDACTED], the Claimant was diagnosed with low back pain and muscle weakness. The Claimant had moderate to severe difficulty lifting/carrying, squatting, bending, prolonged sitting, prolonged standing, gait (stairs/curbs), and had severe difficulty with housework, meal preparation, and sleeping.

On [REDACTED] a biopsy of the endometrium revealed one polypoid .

An ultrasound of the pelvis and transvaginal ultrasound from March 23, 2012, revealed multiple myometrial fibroids measuring up to 2.6cm.

A [REDACTED] chest x-ray showed improvement left mid-lung focal airspace disease.

On [REDACTED] the Claimant attended a consultative examination for her abdominal discomfort. The cause was believed to be from uterine fibroids.

On [REDACTED] the Claimant attended a follow-up appointment for her chronic back pain with radiculopathy. The impressions were degenerative disc disease with radiculopathy.

As previously noted, the Claimant bears the burden to present sufficient objective medical evidence to substantiate the alleged disabling impairment(s). As summarized above, the Claimant has presented some medical evidence establishing that she does have physical limitations on her ability to perform basic work activities. The medical evidence has established that the Claimant has an impairment, or combination thereof, that has more than a *de minimus* effect on the Claimant's basic work activities. Further, the impairments have lasted continuously for twelve months; therefore, the Claimant is not disqualified from receipt of MA-P benefits under Step 2.

In the third step of the sequential analysis of a disability claim, the trier of fact must determine if the Claimant's impairment, or combination of impairments, is listed in Appendix 1 of Subpart P of 20 CFR Part 404. The evidence confirms treatment/diagnoses of abdominal pain, pancreatitis, fatty liver, back pain, leg cramps, lumbar radiculopathy, positive right leg raise, sciatica, diabetes mellitus, diabetic neuropathy, peptic ulcer disease, acute bronchitis, hypertension, rectal bleeding, anemia, multiple fibroids, and degenerative disc disease.

Listing 1.00 (musculoskeletal system), Listing 3.00 (respiratory system), Listing 4.00 (cardiovascular system), Listing 5.00 (digestive system), and Listing 9.00 (endocrine system) were considered in light of the objective medical evidence. Although the objective medical records establish multiple physical impairments, these impairments individually do not meet the intent and severity requirements of a listing, or its equivalent. Accordingly, the Claimant cannot be found disabled, or not disabled at Step 3; therefore, the Claimant's eligibility is considered under Step 4. 20 CFR 416.905(a).

Before considering the fourth step in the sequential analysis, a determination of the individual's residual functional capacity ("RFC") is made. 20 CFR 416.945. An individual's RFC is the most he/she can still do on a sustained basis despite the limitations from the impairment(s). *Id.* The total limiting effects of all the impairments, to include those that are not severe, are considered. 20 CFR 416.945(e).

To determine the physical demands (exertional requirements) of work in the national economy, jobs are classified as sedentary, light, medium, heavy, and very heavy. 20 CFR 416.967. Sedentary work involves lifting of no more than 10 pounds at a time and occasionally lifting or carrying articles like docket files, ledgers, and small tools. 20 CFR 416.967(a). Although a sedentary job is defined as one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. *Id.* Jobs are sedentary if walking and standing are required occasionally and other sedentary criteria are met. Light work involves lifting no more than 20 pounds at a time with frequent lifting or carrying objects weighing up to 10 pounds. 20 CFR 416.967(b). Even though weight lifted may be very little, a job is in this category when it requires a good deal of walking or standing, or when it involves sitting most of the time with some pushing and pulling of arm or leg controls. *Id.* To be considered capable of performing a full or wide range of light work, an individual must have the ability to do substantially all of these activities. *Id.* An individual capable of light work is also capable of sedentary work, unless there are additionally limiting factors such as loss of fine dexterity or inability to sit for long periods of time. *Id.* Medium work involves lifting no more than 50 pounds at a time with frequent lifting or carrying of objects weighing up to 25 pounds. 20 CFR 416.967(c). An individual capable of performing medium work is also capable of light and sedentary work. *Id.* Heavy work involves lifting no more than 100 pounds at a time with frequent lifting or carrying of objects weighing up to 50 pounds. 20 CFR 416.967(d). An individual capable of heavy work is also capable of medium, light, and sedentary work. *Id.* Finally, very heavy work involves lifting objects weighing more than 100 pounds at a time with frequent lifting or carrying objects weighing 50 pounds or more. 20 CFR 416.967(e). An individual capable of very heavy work is able to perform work under all categories. *Id.*

Limitations or restrictions which affect the ability to meet the demands of jobs other than strength demands (exertional requirements, i.e. sitting, standing, walking, lifting, carrying, pushing, or pulling) are considered nonexertional. 20 CFR 416.969a(a). In considering whether an individual can perform past relevant work, a comparison of the individual's residual functional capacity with the demands of past relevant work. *Id.* If an individual can no longer do past relevant work the same residual functional capacity assessment along with an individual's age, education, and work experience is considered to determine whether an individual can adjust to other work which exists in the national economy. *Id.* Examples of non-exertional limitations or restrictions include difficulty to function due to nervousness, anxiousness, or depression; difficulty maintaining attention or concentration; difficulty understanding or remembering detailed



instructions; difficulty in seeing or hearing; difficulty tolerating some physical feature(s) of certain work settings (i.e. can't tolerate dust or fumes); or difficulty performing the manipulative or postural functions of some work such as reaching, handling, stooping, climbing, crawling, or crouching. 20 CFR 416.969a(c)(1)(i) – (vi). If the impairment(s) and related symptoms, such as pain, only affect the ability to perform the non-exertional aspects of work-related activities, the rules in Appendix 2 do not direct factual conclusions of disabled or not disabled. 20 CFR 416.969a(c)(2). The determination of whether disability exists is based upon the principles in the appropriate sections of the regulations, giving consideration to the rules for specific case situations in Appendix 2. *Id.*

In this case, the evidence confirms treatment/diagnoses of abdominal pain, pancreatitis, fatty liver, back pain, leg cramps, lumbar radiculopathy, positive right leg raise, sciatica, diabetes mellitus, diabetic neuropathy, peptic ulcer disease, acute bronchitis, hypertension, rectal bleeding, anemia, multiple fibroids, and degenerative disc disease. The Claimant testified that she is able to walk short distances; grip/grasp without issue; sit for less than 2 hours; lift/carry approximately 10 pounds; stand for about ½ hour; and is able to bend but has difficulties squatting. The objective medical evidence noted the Claimant's condition was deteriorating with moderate to severe difficulty lifting/carrying, squatting, bending, prolonged sitting, prolonged standing, and with her gait. The Claimant had severe difficulty with housework, meal preparation, and sleeping. After review of the entire record and considering the Claimant's testimony, it is found, at this point, that the Claimant has the residual functional capacity to perform on a regular and consistent basis at most, limited, sedentary work as defined by 20 CFR 416.967(a). Limitations being standing and sitting at will.

The fourth step in analyzing a disability claim requires an assessment of the Claimant's residual functional capacity ("RFC") and past relevant employment. 20 CFR 416.920(a)(4)(iv). An individual is not disabled if he/she can perform past relevant work. *Id.*; 20 CFR 416.960(b)(3). Past relevant work is work that has been performed within the past 15 years that was a substantial gainful activity and that lasted long enough for the individual to learn the position. 20 CFR 416.960(b)(1). Vocational factors of age, education, and work experience, and whether the past relevant employment exists in significant numbers in the national economy is not considered. 20 CFR 416.960(b)(3).

The Claimant's prior employment consisted of work as a care provider and general laborer. In consideration of the Claimant's testimony and Occupational Code, the prior employment is classified as unskilled, light work. If the impairment or combination of impairments does not limit physical or mental ability to do basic work activities, it is not a severe impairment(s) and disability does not exist. 20 CFR 416.920. In light of the entire record and the Claimant's RFC (see above), it is found that the Claimant is unable to perform past relevant work. Accordingly, the Claimant cannot be found disabled, or not disabled, at Step 4.

In Step 5, an assessment of the Claimant's residual functional capacity and age, education, and work experience is considered to determine whether an adjustment to other work can be made. 20 CFR 416.920(4)(v). At the time of hearing, the Claimant was 50 years old and, thus, considered to be closely approaching advanced age for MA-P purposes. The Claimant has a limited education. Disability is found if an individual is unable to adjust to other work. *Id.* At this point in the analysis, the burden shifts from the Claimant to the Department to present proof that the Claimant has the residual capacity to substantial gainful employment. 20 CFR 416.960(2); *Richardson v Sec of Health and Human Services*, 735 F2d 962, 964 (CA 6, 1984). While a vocational expert is not required, a finding supported by substantial evidence that the individual has the vocational qualifications to perform specific jobs is needed to meet the burden. *O'Banner v Sec of Health and Human Services*, 587 F2d 321, 323 (CA 6, 1978). Medical-Vocational guidelines found at 20 CFR Subpart P, Appendix II, may be used to satisfy the burden of proving that the individual can perform specific jobs in the national economy. *Heckler v Campbell*, 461 US 458, 467 (1983); *Kirk v Secretary*, 667 F2d 524, 529 (CA 6, 1981) *cert den* 461 US 957 (1983).

In this case, the objective findings confirm treatment/diagnoses of abdominal pain, pancreatitis, fatty liver, back pain, leg cramps, lumbar radiculopathy, positive right leg raise, sciatica, diabetes mellitus, diabetic neuropathy, peptic ulcer disease, acute bronchitis, hypertension, rectal bleeding, anemia, multiple fibroids, and degenerative disc disease. The Claimant testified that she was able to perform activity at the less than sedentary level. The objective medical evidence found the Claimant with severe limitations in performing activities of daily living. The evidence shows multiple hospitalizations and/or emergency room treatments noting her condition was deteriorating. In light of the foregoing, it is found that the Claimant maintains the residual functional capacity for work activities on a regular and continuing basis to meet the physical and mental demands required to perform sedentary work as defined in 20 CFR 416.967(a). After review of the entire record, and in consideration of the Claimant's age, education, work experience, RFC, and using the Medical-Vocational Guidelines [20 CFR 404, Subpart P, Appendix II] as a guide, specifically Rule 201.09, the Claimant is found disabled at Step 5.

The State Disability Assistance program, which provides financial assistance for disabled persons, was established by 2004 PA 344. The Department administers the SDA program pursuant to MCL 400.10 *et seq.* and Mich Admin Code, Rules 400.3151 – 400.3180. Department policies are found in BAM, BEM, and RFT. A person is considered disabled for SDA purposes if the person has a physical or mental impairment which meets federal SSI disability standards for at least ninety days. Receipt of SSI benefits based on disability or blindness, or the receipt of MA benefits based on disability or blindness automatically qualifies an individual as disabled for purposes of the SDA program.

2012-31458/CMM

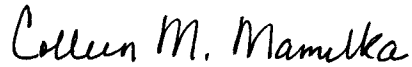
In this case, the Claimant is found disabled for purposes of the MA-P program; therefore, she is found disabled for purposes of SDA benefit program.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law finds the Claimant disabled for purposes of the MA-P and SDA benefit programs.

Accordingly, it is ORDERED:

1. The Department's determination is REVERSED.
2. The Department shall initiate processing of the September 6, 2011 application to determine if all other non-medical criteria are met in accordance with Department policy.
3. The Department shall notify the Claimant and her Authorized Hearing Representative of the determination in accordance with Department policy.
4. The Department shall supplement for lost benefits (if any) that the Claimant was entitled to receive if otherwise eligible and qualified in accordance with Department policy.
5. The Department shall review the Claimant's continuing eligibility in October 2013 in accordance with Department policy.



Colleen M. Mamelka  
Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: September 12, 2012

Date Mailed: September 12, 2012

**NOTICE:** Michigan Administrative Hearing System (MAHS) 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. MAHS 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. (60 days for FAP cases)

2012-31458/CMM

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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
  - misapplication of manual policy or law in the hearing decision,
  - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
  - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at  
Michigan Administrative Hearings  
Re consideration/Rehearing Request  
P. O. Box 30639  
Lansing, Michigan 48909-07322

CMM/cl

cc: [REDACTED]  
Wayne County DHS (43)/DHS-1843

C. [REDACTED]  
Mamelka