

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012 31824
Issue No.: 2009, 4031
Case No.: [REDACTED]
Hearing Date: October 15, 2012
Wayne County DHS (20)

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

DECISION AND ORDER


This matter is before the undersigned Administrative Law Judge upon the Claimant's request for a hearing made pursuant to MCL 400.9 and MCL 400.37, which govern the administrative hearing and appeal process. After due notice, an in-person hearing was held in Detroit, Michigan on October 15, 2012. The Claimant appeared and testified. The Claimant was represented by [REDACTED] his Authorized Hearing Representative. [REDACTED] appeared on behalf of the Department of Human Services ("Department").

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 records. The evidence was received and forwarded to the State Hearing Review Team ("SHRT") for consideration. On January 23, 2013, this office received the SHRT determination which approved the Claimant for Medical Assistance based on disability ("MA-P") and retro MA-P effective October 2011 and State Disability Assistance (SDA) was also approved.

Accordingly, it is ORDERED:

1. The Department's determination that the Claimant is not disabled is not upheld.
2. The Department shall initiate processing of the Claimant's application for MA-P dated January 27, 2012 to determine if all other non-medical criteria are met pursuant to Department policy based on the SHRT determination.
3. The Department shall issue a supplement for any SDA benefits the Claimant was otherwise entitled to receive in accordance with Department policy.

4. The Department shall notify the Claimant and his Authorized Hearing Representative of the determination in accordance with Department policy.
5. 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.
6. The Department shall review the Claimant's continued eligibility in accordance with Department policy in January 2014 in accordance with Department policy.


Lynn M. Ferris
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: January 29, 2013

Date Mailed: January 29, 2013

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)

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.

2012-31824/LMF

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

LMF/cl

cc: 