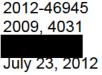
#### STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

#### IN THE MATTER OF:



Reg. No.: Issue No.: Case No.: Hearing Date: Wayne (55)



## ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

## DECISION AND ORDER

This matter is before the undersigned Admini strative Law Judge upon the Claimant's request for a hearing made purs uant to MCL 400.9 and MCL 400.37, which govern the administrative hearing and appeal process. After due notice, a hearing was held in Detroit, Michigan on July 23, 2012. The Claimant appeared and testified. ES/Medical Contact Worker, appeared on behalf of the Department of Human Service s ("Department").

During the hearing, the Claimant waived the time period for the issuance of this decision in order to allow for the s ubmission of additional medical records. The evidence was received and forwarded to the State Hearing Review Team ("SHRT") for consideration. On October 19, 2012, this office received the SHRT determination which approved the sability ("MA-P") and State Disability Claimant for Medical Assistance based on di Assistance (SDA) effective September 2011.

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 and any retro months and SDA dated Decem ber 1, 2011 to determine if all other non-medical criteria are met pursuant to Department policy based on the SHRT determination.
- 3. The Department shall notify the Claimant of the determination in accordance with Department policy.

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- 4. The Department shall supplement for lost benefits (if any) that the Claimant was entitled to receive if otherwise eligib le and qualified in accordance with Department policy.
- 5. The Department shall review the Claimant 's continued eligibility in accordance with Department policy in December 2013 in accordance with Department policy.

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

Date Signed: December 21, 2012

Date Mailed: December 21, 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)

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 ti mely 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 <u>MAY</u> 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

consideration/Rehearing Request P. O. Box 30639 Lansing, Michigan 48909-07322

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cc: