

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

IN THE MATTER OF:



Reg. No.: 201272782
Issue No.: 4031
Case No.: [REDACTED]
Hearing Date: December 5, 2012
County: Gladwin

ADMINISTRATIVE LAW JUDGE: Kevin Scully

HEARING DECISION

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 to protest the denial of Claimant's application for MA. After due notice, a telephone hearing was held on. Claimant personally appeared and testified.

ISSUE

Whether Claimant meets the disability criteria for State Disability Assistance (SDA)?

FINDINGS OF FACT

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

1. On June 12, 2012, Claimant filed an application for State Disability Assistance benefits alleging disability.
2. On August 3, 2012, the Medical Review Team denied Claimant's application.
3. On August 10, 2012, the Department caseworker sent Claimant notice that her application was denied.
4. On August 17, 2012, Claimant filed a request for a hearing to contest the Department's negative action.
5. On October 15, 2012, the State Hearing Review Team upheld the determination of the Medical Review Team.
6. The hearing was held on December 5, 2012. At the hearing, Claimant waived the time periods and requested to submit additional medical information.

7. Additional medical information was submitted and sent to the State Hearing Review Team on December 6, 2012.
8. On January 12, 2013, the State Hearing Review Team approved Claimant stating in its recommendation: The medical evidence sufficiently demonstrates that the intent and severity of listing 13.14A is equaled. SDA is approved effective 6/2012.

CONCLUSIONS OF LAW

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or Department) administers the SDA program pursuant to MCL 400.10, et seq., and MAC R 400.3151-400.3180. Department policies are found in the Program Administrative Manual (BAM), the Program Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Because of the SHRT determination, it is not necessary for the Administrative Law Judge to discuss the issue of disability, per BAM, Item 600.

The Department is required to initiate a determination of Claimant's financial eligibility for the requested benefits, if not previously done.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Claimant meets the definition of medically disabled under the State Disability Assistance Program as of the June 12, 2012, application date.

Accordingly, the Department is **ORDERED** to initiate a review of the June 12, 2012, application if it is not already done so, to determine if all other non-medical eligibility criteria are met. The Department shall inform the Claimant of the determination in writing.

It is ORDERED that the Department shall review this case in April of 2013.

/s/ _____
Kevin Scully
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: January 23, 2013

Date Mailed: January 23, 2013

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 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.

KS/tb

cc:

