

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

IN THE MATTER OF:

████████████████████
██
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Reg. No.: 2013-33705
Issue No.: 2009
Case No.: ██████████
Hearing Date: August 7, 2013
Wayne County DHS (18)

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 Taylor, Michigan on August 7, 2013. The Claimant is deceased as of ██████████ and thus did not appear. Participants on behalf of the Claimant included the ██████████ the Claimant's Authorized Hearing Representative, also appeared. ██████████, Medical Contact Worker, appeared on behalf of the Department of Human Services ("Department").


During the hearing, the Claimant's Authorized Hearing Representative 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 February 4, 2014, this office received the SHRT determination which approved the Claimant for Medical Assistance based on disability ("MA-P") effective July 2012.

Accordingly, it is ORDERED:

1. The Department's determination that the Claimant is not disabled is not upheld and is REVERSED as the State Hearing Review Team has determined the Claimant is disabled effective July 2012.

2. The Department shall initiate processing of the Claimant's application for MA-P dated October 16, 2012 and any retro months (September 2012) 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's Authorized Hearing Representative, Accretive Health, of the determination in accordance with Department policy.



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

Date Signed: February 28, 2014

Date Mailed: February 28, 2014

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.

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

LMF/cl

cc:

[Redacted list of recipients]