

**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.: 2013-44180
Issue No.: 2009
Case No.: ██████████
Hearing Date: September 9, 2013
Wayne (76)

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. Following a request for hearing and due notice, an in person hearing was held in Detroit, Michigan on September 9, 2013. Participants on behalf of the Claimant included the Claimant. ██████████ ██████████ the Claimant's Authorized Hearing Representative, also appeared. ██████████ ██████████ Eligibility Specialist, appeared on behalf of the Department of Human Services ("Department").

During the hearing, the Claimant's Authorized Hearing Representative and 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 February 12, 2014, this office received the SHRT determination which approved the Claimant for Medical Assistance based on disability ("MA-P") effective October 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 October 2012.
2. The Department shall initiate processing of the Claimant's application for MA-P dated October 25, 2012 and any retro months (August 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 and Claimant's Authorized Hearing Representative, ADVOMAS, of the determination in accordance with Department policy.
4. A review by the Department of the Claimant's continued eligibility in accordance with Department policy will be required in February 2015.



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

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