

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

IN THE MATTER OF:



Reg. No.: 2014-5193
Issue No(s): 2009
Case No.: [REDACTED]
Hearing Date: April 14, 2014
County: Wayne (82)

ADMINISTRATIVE LAW JUDGE: Susan C. Burke

DECISION AND ORDER

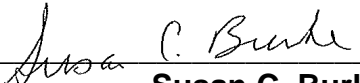
Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 42 CFR 431.200 to 431.250; and 45 CFR 205.10. After due notice, a hearing was held on April 14, 2014, in Detroit, Michigan. Participants on behalf of Claimant included Claimant's Authorized Hearing Representative, [REDACTED]. Participants on behalf of the Department of Human Services (Department) included [REDACTED], ES.

During the hearing, 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 June 12, 2014, this office received the SHRT determination which approved Claimant for Medical Assistance based on disability (MA-P) effective the date of application. Retroactive MA was not applied for by Claimant, but if it had been applied for, SHRT stated that it would have denied Retroactive MA.

Accordingly, it is ORDERED:

1. The Department's determination that Claimant is not disabled is not upheld.
2. The Department shall initiate processing of Claimant's application for MA-P dated [REDACTED] to determine if all other non-medical criteria are met, pursuant to Department policy, based on the SHRT determination.
3. The Department shall notify Claimant and the Authorized Hearing Representative (if applicable) of the determination in accordance with Department policy.

4. The Department shall review Claimant's continued eligibility in [REDACTED], in accordance with Department policy.



Susan C. Burke
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 6/27/2014

Date Mailed: 6/27/2014

NOTICE OF APPEAL: A party may appeal this Hearing Decision in the circuit court in the county in which he/she resides or has its principal place of business in the State, or the circuit court in Ingham County, within 30 days of the receipt date.

A party may request a rehearing or reconsideration of this Hearing Decision from the Michigan Administrative Hearing System (MAHS) within 30 days of the mailing date of this Hearing Decision, or MAHS may order a rehearing or reconsideration on its own motion.

MAHS may grant a party's Request for Rehearing or Reconsideration when one of the following exists:

- Newly discovered evidence that existed at the time of the original hearing that could affect the outcome of the original hearing decision;
- Misapplication of manual policy or law in the hearing decision which led to a wrong conclusion;
- Typographical, mathematical or other obvious error in the hearing decision that affects the rights of the client;
- Failure of the ALJ to address in the hearing decision relevant issues raised in the hearing request.

The party requesting a rehearing or reconsideration must specify all reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration. A request must be *received* in MAHS within 30 days of the date this Hearing Decision is mailed.

A written request may be faxed or mailed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088 and be labeled as follows:

Attention: MAHS Rehearing/Reconsideration Request

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-07322

SCB/hw

cc:

