

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

IN THE MATTER OF:



Reg. No.: 2014-27988
Issue No.: 2009; 4009
Case No.: [REDACTED]
Hearing Date: July 2, 2014
County: Oakland-02

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

AMENDED HEARING DECISION

Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99.33; and 45 CFR 205.10. After due notice, a telephone hearing was held from Lansing, Michigan. Claimant appeared and provided testimony. Participants on behalf of the Department of Human Services (Department) included Assistance Payment Supervisor [REDACTED].

At the conclusion of the hearing, a Hearing Decision was issued by Administrative Law Judge Vicki L. Armstrong and mailed on July 8, 2014 which is hereby **AMENDED** to correct the application date of MA/Retro-MA and SDA.

FINDINGS OF FACT

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

1. All Findings of Fact and Conclusions of Law contained in the original Hearing Decision dated July 8, 2014 remain unchanged and are incorporated herein by reference.
2. On January 3, 2014, Claimant filed an application for MA/Retro-MA and SDA benefits alleging disability.
3. On January 24, 2014, the Medical Review Team (MRT) denied Claimant's application for MA/Retro-MA and SDA.
4. On February 6, 2014, the Department sent Claimant notice that his application for MA/Retro-MA and SDA had been denied.

5. On February 13, 2014, Claimant filed a request for a hearing to contest the Department's negative action.

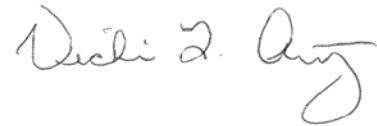
DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department erred in determining Claimant is not currently disabled for MA/Retro-MA and SDA eligibility purposes.

Accordingly, the Department's decision is **REVERSED**, and it is ORDERED that:

1. The Department shall process Claimant's January 3, 2014, MA/Retro-MA and SDA application, and shall award him all the benefits he may be entitled to receive, as long as he meets the remaining financial and non-financial eligibility factors.

IT IS SO ORDERED.



Vicki L. Armstrong
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: July 9, 2014

Date Mailed: July 9, 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

VLA/las

cc:

