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

IN THE MATTER OF:

[redacted]

Reg. No.: 2013-58992
Issue No.: 6033
Case No.: [redacted]
Hearing Date: October 15, 2014
County: St. Clair

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

HEARING DECISION

Following Petitioner'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 prehearing conference was commenced on March 11, 2014, from Lansing, Michigan. The parties have submitted stipulated exhibits, stipulated facts, stipulated contested issues, arguments and briefs in support of arguments in this case. The parties requested/moved that this Administrative Law Judge make a determination/judgment based upon the legal issues and pleadings contained herein without hearing. The request/motion was granted. Both representatives filed briefs. Once the Administrative Law Judge received the briefs, the Representatives for both the Department and the Petitioner had further argument to make. On May 2, 2014, Petitioner filed a Motion for Leave to File Reply Brief Instanter. Petitioner's **Motion for Leave to File Reply Brief Instanter** is **DENIED.** The hearing proceeded on the record.

The hearing was convened on October 15, 2014. Petitioner(s) was represented by Paula A. Aylward P60757. The Department of Human Services (Department) was represented by Assistant Attorney General William Morris P31957. The hearing was held October 15-16, 2014. The following cases were held together because the legal issues were identical and are herein consolidated:

1. [redacted] 2013 – 58326
2. [redacted] 2013 – 58996
3. [redacted] 2013 – 58323
4. [redacted] 2013 – 61354
5. [redacted] 2013 – 58991

6. [redacted] 2013 – 58989
7. [redacted] 2013 – 58988
8. [redacted] 2013 – 58987
9. [redacted] 2013 – 58993
10. [redacted] 2013 – 61352
11. [redacted] 2013 – 58995
12. [redacted] 2013 – 58990
13. [redacted] 2013 – 58997
14. [redacted] 2013 – 58992
15. [redacted] 2013 – 58994

The following witnesses were sworn in and testified:

[redacted]

St. Clair County Probate Judge
St. Clair County Court Administrator
St. Clair County Probate Referee
St. Clair County Probate Referee
St. Clair County Probate Referee
Attorney/Guardian ad Litem
Accountant Specialist DHS
Charge Back Clerk/DHS
Former Juvenile Justice Supervisor/DHS
Child Welfare Funding Specialist/DHS
Former Child Welfare Funding Specialist/DHS
Manager of Child Welfare Funding/DHS

The facts are not in dispute and were stipulated to by the Petitioner and Respondent. All Exhibits were stipulated to and entered into evidence.

The parties were each allowed to file one Motion and Brief in Support with attached exhibits. Petitioner filed a Second Brief in order to clarify the Petitioner's position and in response to Respondent's brief. The Respondent Department declined to file a second brief.

ISSUES

A) Whether the Department of Human Services (DHS or the Department) properly determined that petitioner was ineligible to receive Title IV-E funding under the circumstances?

B) Whether the Department of Human Services has the authority to rescind prior Title IV-E foster care payments?

C) Whether the doctrines of equitable estoppel, estoppel by laches, and waiver, all preclude the Department from receiving reimbursement of Title IV-E foster care payments that it previously paid?

STIPULATED FINDINGS OF FACT

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

1. The present appeal is from the Department of Human Services denial/reversal of Title IV-E Foster Care funding eligibility.

2. On February 12, 2013, the St. Clair County Circuit Court Family Division entered a Supplemental Order of Disposition Following Review Hearing (Delinquency Proceedings). Exhibit A. In its order, the court ruled "[t]hat said minor remain a temporary Ward of the court placed with the Michigan Department of human services for care and supervision." Id. P1, 27. The Court's order also contained language that forms the basis of the present appeal, actually:

   > The court reserves the right to place said minor in the Juvenile Detention Center should problems develop within the home, school or community. Said minor shall not leave current placement without the express permission of the court. Further, any leave from current placement, without benefit of a court order may result in placement at the Juvenile Detention Center. [Id. P1. 27.]

3. From February 12, 2012 to August 7, 2012, the Saint Clair Circuit Court Family Division entered other Orders some of which contained the same or very similar language.

4. The DHS Federal Compliance Division subsequently determined that the DHS should not have approved Petitioner's out-of-home placement for Title IV-E funding.

5. On March 20, 2013, DHS issued Reconciliation Notices, claiming that the county must pay [redacted] for the cost of 212 days of Petitioner's care during which Petitioner was "in a court ordered placement" due to the language used by the Court in its orders.

6. On April 23, 2013, and May 15, 2013, DHS sent Notices of Case Action apprising Petitioner that DHS was denying payment for Petitioner's out-of-home care funded with Title IV-E funds because "the court order specifies the placement or level or type of placement".

7. On July 9, 2013, Petitioner's Guardian Ad Litem filed a request for a hearing to contest the department's negative action.

8. Petitioner is also herein referred to as "the child".

CONCLUSIONS OF LAW

Department policies are contained in the Department of Human Services Bridges Administrative Manual (BAM), Department of Human Services Bridges Eligibility Manual (BEM), Department of Human Services Reference Tables Manual (RFT), and Department of Human Services Emergency Relief Manual (ERM).

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code, MAC R 400.901-400.951. An opportunity for a hearing shall be granted to an applicant who requests a hearing because his or her claim for assistance has been denied. MAC R 400.903(1). Clients have the right to contest a department decision affecting eligibility or benefit levels whenever it is believed that the decision is incorrect. The department will provide an administrative hearing to review the decision and determine the appropriateness of that decision. BAM 600.

Legal authority for the Department to provide, purchase or participate in the cost of out-of-home care for youths has been established in state law: the Probate Code Chapter XII-A, Act 288, P.A. of 1939; the Social Welfare Act. Act 280, P.A. of 1935; the Michigan Children's Institute Act, Act 220, P.A. of 1935; the Michigan Adoption Code, Act 296, P.A. of 1974; and the Youth Rehabilitation Services Act P.A. 150, of 1974. These laws specify the method of the Department involvement in these costs. The legislature has established a system whereby:

> (1) the local court may provide out-of-home care directly and request reimbursement by the state (Child Care Fund), or
>
> (2) the court may commit the youth to the state and reimburse the state for care provided (State Ward Board and Care). (FOM, Item 901-6)

Title IV-E is a funding source which requires all applicable federal regulations be followed for its use. Other funding sources such as state ward board and care, county child care funds, and limited term and emergency foster care funding are listed in FOM 901-8.

A determination is to be made regarding the appropriate funding source for out-of-home placements at the time the youth is referred for care and supervision by DHS regardless of actual placement; see FOM 722-01, Court Ordered Placements. FOM, Item 902, page 1.

To be eligible for payment under Title IV-E, children must, by Family Court or Tribal Court order, be under DHS supervision for placement and care or committed to DHS.

- All youth are to be screened for Title IV-E Eligibility at the time of acceptance. Even though an initial placement may be in a placement where Title IV-E cannot be paid (e.g., unlicensed relatives, detention, training school, camp), eligibility may exist in subsequent placements.

- If a youth has been initially determined not eligible for Title IV-E funding (based on ineligibility of the family for the former AFDC grant program or the judicial determinations do not meet the time requirements detailed in FOM 902-2, Required Judicial Findings), **s/he will never be eligible for Title IV-E funding while in this placement episode**. Therefore, SWSS FAJ will not request the information for Title IV-E Eligibility when regular redeterminations of appropriate foster care funding source are conducted. (See FOM 902, FINANCIAL DETERMINATIONS for information on placement episodes.) FOM 902-1, page 1. (emphasis added)

Title IV-E funding must be denied or cancelled based upon the following factors:

- Child is not a US citizen or qualified alien; see FOM 902, Funding Determinations and Title IV-E Eligibility, US Citizenship/Qualified Alien Status.

- The home from which the child was removed does not meet the former AFDC program's deprivation requirements; see FOM 902, Funding Determinations and Title IV-E Eligibility, Former AFDC Program Eligibility Requirements.

- The family's income exceeds the former AFDC program's standards; see FOM 902, Funding Determinations and Title IV-E Eligibility, AFDC Income and Assets.

- The family has assets exceeding the former AFDC program's standards; see FOM 902, Funding Determinations and Title IV-E Eligibility, AFDC Income and Assets.

- The child's income exceeds the cost of care; see FOM 902, Funding Determinations and Title IV-E Eligibility, AFDC Income and Assets.

- The child's assets exceed $10,000; see FOM 902, Funding Determinations and Title IV-E Eligibility, AFDC Income and Assets.

- The court order does not contain a finding with case specific documentation that it is contrary to the child's welfare to remain in the home; see FOM 902, Funding Determinations and Title IV-E Eligibility, Continuation In The Home Is Contrary To The Child's Welfare Determination.

- There was no hearing within 60 days of the child's removal that resulted in a court order with case specific documentation finding that reasonable efforts to prevent removal had been made; see FOM 902, Funding Determinations and Title IV-E Eligibility, Reasonable Efforts Determinations.

- **There is no valid court order that grants DHS sole placement and care responsibility**; see FOM 902, Funding Determinations and Title IV-E Eligibility, Legal Jurisdiction. (emphasis added)

- There is no court order resulting from a hearing held within the past 12 months that contains a finding with case specific documentation that reasonable efforts have been made to finalize a federally recognized permanency plan; see FOM 902, Funding Determinations and Title IV-E Eligibility, Reasonable Efforts Determinations.

- The placement is not eligible for Title IV-E funding; see FOM 902, Funding Determinations and Title IV-E Eligibility, Eligible Living Arrangement.

- The court order specifies any of the following; see FOM 902-02, Funding Determinations and Title IV-E Eligibility, Legal Jurisdiction:

    - **A family court orders dual or co-supervision of the case by DHS staff together with court/private agency staff**.

- The court orders specific selection of and/or control of the foster care placement.
- The court orders payment of rates not appropriate in the given case.
- The court orders Title IV-E payment be made.

- The child is over the age of 18 and not expected to complete high school by age 19; see FOM 902, Funding Determinations and Title IV-E Eligibility, Title IV-E Age Requirements and Exceptions. (FOM, Item 902-5)

Pertinent Department policy dictates as follows:

The DHS-176, Client Notice, must be sent to the Family Division of Circuit Court and the Lawyer-Guardian Ad Litem (L-GAL) when Title IV-E is denied or cancelled, except in cases of children committed to DHS under Act 296 (Adoption Voluntary Release). In other words, a DHS-176 is to be sent on all cases in which the court retains jurisdiction and on which the Department of Human Services has made the decision that Title IV-E funding is to be denied or cancelled. The DHS-176 must be completed accurately to reflect all of the reasons the child is not eligible for Title IV-E benefits so that **all** fair hearings requirements are met. (**Failure to document all reasons for ineligibility may result in the department's denial or cancellation being overturned.)**

If the child is not eligible due to judicial findings and there is no deprivation factor, both items must be noted as the reasons for denial or cancellation so both matters can be presented in the hearing.

Title IV-E funds cannot be used once it has been determined that the child is not Title IV-E eligible. Foster care maintenance and administrative payments must be made from a fund source other than Title IV-E based on the child's legal status.

For cases where payments have been made from Title IV-E funds in error, payment reconciliation should **not** be pursued until the time period for an appeal, 90 calendar days, has elapsed. The reason for this delay is to prevent further reconciliation if more information may be discovered through the appeal process that would enable the child to be Title IV-E eligible.

If Title IV-E funding is cancelled, an appeal is not filed and the 90 calendar day time period has elapsed, payment reconciliation must be completed for any payments made from Title IV-E for the entire period of ineligibility. Title IV-E funds are required to be returned to the federal government from the start of any period of ineligibility if Title IV-E payments were made and the child is later determined not Title IV-E eligible. FOM, Item 902-05, pages 2-3.

A) Whether the Department of Human Services (DHS or the Department) properly determined that petitioner was ineligible to receive Title IV-E funding under the circumstances?

Petitioner's representative argues that the Department's decision should be reversed because the Circuit Court did not usurp the Department's authority and assume placement care responsibility by choosing the children's placement without bona fide consideration of the Department's recommendation regarding placement. Petitioner's representative contends that it was an error for the Department to issue reconciliation notices, claiming that the Department had erroneously reimbursed the county [redacted] for the cost of 212 days of Petitioner's care in which Petitioner was in a court ordered placement due to the language used by the court in its orders.

Petitioner's representative also argues that the court did place the child with Michigan Department of Human Services for care and supervision; the court did issue an order further recommending that the juvenile remain in the Department of Human Services. Petitioner's representative argues that the reservation of the right to place the minor in a juvenile detention center should problems develop within the home, school or community; that the minor shall not leave the current placement without express permission of the court; and that any exit from current placement without the benefit of a court order may result in the child being placed with a juvenile detention center does not usurp the Department's authority or proscribe the Department from transferring the child to new placement. Petitioner's representative also argues that by requiring that the child not leave the current placement without the express permission of the court, the court was ensuring that the department had an opportunity to present relevant testimony and that the court could work with all parties, including the Department, to make appropriate placement decisions, which is what the law requires. Lastly, Petitioner's representative argues that the determination that the mere reservation of the contingent right to possibly usurp the DHS placement authority at some unspecified time in the future or requiring that the DHS future placements be contingent upon judicial approval constitutes a court ordered placement stripping the County of its entitlement to Title IV-E funding is error on the part of the Department of Human Services.

The Department argues that the "reservation of rights" language in the Court's Order was restrictive, depriving the DHS of control, such that Title IV-E reimbursement funds are not available for this "Court ordered placement." DHS denies that the record supports Petitioner's contention that the Circuit court entered the order(s) at issue after giving bona fide consideration of its recommendation. Jennifer Pettibone testified that the child was determined Title IV-E eligible. At all times relevant to this case, the child met the requirements and remained eligible for Title IV-E. However, the child was not eligible to receive reimbursable Title IV-E funds because of the restrictive language contained in the Court Order which stated that the child could not leave current placement without the express permission of the Court.

In the instant case, the facts are not at issue. The case turns on language in the court order which states specifically:

The Court reserves the right to place said minor in the Juvenile Detention Center should problems develop within the home, school or community. Said minor shall not leave current placement, without the express permission of the Court. Further, any leave from current placement, without the benefit of a Court Order may result in placement at the Juvenile Detention Center. (State's Stipulated Exhibit # 1 page 1).

[redacted], the preparer of the disposition order, testified on the record that the "reservation of rights" language was not meant to be a limitation on the DHS authority, but was meant as a warning to the juvenile that leaving placement without Court permission, misbehavior or escalation of conduct could result in placement in a juvenile detention facility.

Pertinent Department policy dictates:

There are two types of Title IV-E categories: Title IV-E eligible and Title IV-E reimbursable. Both must occur concurrently before Title IV-E payments can be issued. Definitions of the two types of Title IV-E categories are:

- **Title IV-E eligible** - Initial eligibility is determined based on information related to the child and removal household when the child is initially removed from their home. Specific eligibility requirements are detailed within this manual item.

- **Title IV-E reimbursable** - Federal financial participation (FFP) is available for a child who meets all Title IV-E eligibility requirements. A child's reimbursability status can change based on specific factors. Some of these factors include the child's placement and DHS having sole care and custody. FOM 902, pages 1-2.

The Administrative Law Judge finds: This case involved a minor who was involved in delinquency proceedings. Department policy explicitly states that as a condition for Title IV-E funding, court orders must make the Department of Human Services solely responsible for the child's placement and care. FOM 902, page 16. The minor child in this case remained a temporary ward of the Court on a neglect petition and placed with the Department of Human Services for Care and Supervision. Juvenile proceedings were brought against the Petitioner.

Policy also states:

- A child is a dual ward when there are concurrent abuse/neglect and delinquency cases. Any youth who has both abuse/neglect and delinquency cases is a dual ward, whether or not DHS has supervision of the delinquency side of the case. This is regardless of the

> youth's commitment under Act 150. This does not include youth on a consent calendar or voluntary, informal probation.
>
> **Note:** To qualify for Title IV-E funding, DHS must be solely responsible for a dual ward's placement and care. If the delinquency court supervises the youth's delinquency case **and** assumes placement and care responsibilities, then the youth is not Title IV-E eligible. FOM 902, page 17.

The youth lost Title IV-E funding eligibility because of the court order that specified the child's placement. Specifically, the Court stated:

> "The court reserves the right to place said minor in the Juvenile detention Center should problems develop within the home, school, or community. Said minor shall not leave current placement without the express permission of the Court." State's Exhibit 1.

Thus, there is no valid court order that grants or explicitly designates DHS sole placement and care responsibility. The court order specifies the placement, level or type of placement and does not make the Department solely responsible for the child's placement and care.

Department policy requires that a valid court order that grants DHS sole placement and care responsibility for the child in order for Title IV-E funding to be allowed. Policy does not allow joint custody or reservation of rights by the Court for placement purposes. Thus, the department properly determined that Title IV-E funding should be cancelled or denied because there was no valid court order that grants DHS sole placement and care responsibility of the child pursuant to FOM 902.

B) Whether the Department of Human Services has the authority to rescind prior Title IV-E foster care payments?

Petitioner argues that the Department lacks the authority to attempt to rescind prior Title IV-E foster care payments pursuant to the Voluntary Doctrine.

Respondent argues that the Title IV-E federal funds never go to the county. For court wards who are IV-E eligible, DHS pays their bills; the county does not see/receive any of the Title IV-E money or covered expenses. Because the Department views these youth as not Title IV-E eligible, DHS's goal is to get the county to pay its share of Petitioner's covered expenses. Respondent further notes that the youth (ward) cannot assert a claim on behalf of the county and that an ALJ has no equitable powers.

Department Policy dictates:

Title IV-E funds cannot be used once it has been determined that the child is not Title IV-E eligible. Foster care maintenance and administrative payments must be made from a fund source other than Title IV-E based on the child's legal status.

For cases where payments have been made from Title IV-E funds in error, payment reconciliation should **not** be pursued until the time period for an appeal, 90 calendar days, has elapsed. The reason for this delay is to prevent further reconciliation if more information may be discovered through the appeal process that would enable the child to be Title IV-E eligible.

If Title IV-E funding is cancelled, an appeal is not filed and the 90 calendar day time period has elapsed, payment reconciliation must be completed for any payments made from Title IV-E for the entire period of ineligibility. Title IV-E funds are required to be returned to the federal government from the start of any period of ineligibility if Title IV-E payments were made and the child is later determined not Title IV-E eligible. FOM 902-05, page 3.

Petitioner erroneously assumes that this equitable doctrine would allow the nonparty St. Clair County to retain Title IV-E funds. The Department has not paid St. Clair County any Title IV-E funds for this minor's foster care for the period in dispute because the care is not reimbursable. The child has no eligibility for Title IV-E funding. The child was determined to be eligible for Title IV- E funding except for the fact that the court's order indicated that the child's placement options remained within the court's control. Eligibility for Title IV-E funds turned on the Department's control or lack of control over the placement of the child.

Because Title IV-E funds are required to be returned to the federal government from the start of any period of ineligibility if Title IV-E payments were made and the child is later determined not to be Title IV-E eligible, the state of Michigan must issue a payment reconciliation and recoup the funds in order to be in compliance with federal regulations.

C) Whether the doctrines of equitable estoppel, estoppel by laches, and waiver, all preclude the Department from receiving reimbursement of Title IV-E foster care payments that it previously paid?

Petitioner argues: that DHS has enacted mandatory safeguards to ensure correct initial determinations and correct redeterminations of Title IV-E reimbursability of the cost of a used out of home placement. DHS personnel are obligated to monitor all court orders to ensure they meet Title IV-E requirements and are required to determine petitioner's eligibility for Title IV-E funding upon petitioner's referral to DHS for care and supervision. DHS personnel are further required to make reimbursability determinations every six months or more frequently if DHS becomes aware of a change that could affect funding source eligibility. DHS personnel are required to authorize Title IV-E payments at least every six months and for each new placement, DHS personnel are required to make a new eligibility determination. DHS personnel are further required to conduct a case read

on all Title IV-E eligibility cases, regardless of reimburse ability status, using the Title IV-E case read instrument form DHS – 436 and to have this case read certified by a supervisor to ensure appropriate use of Title IV-E funds. Lastly, DHS personnel are required to create and maintain a historical record in the foster care services worker support system database for each determination of the appropriate funding source for petitioners out of home placement. Petitioner argues that DHS either failed to perform its prophylactic measures or failed to perform correctly. Once the DHS Federal Compliance Division subsequently determined that the DHS should not approve Petitioner for Title IV-E funding, the Department attempted to shift the cost of its all mistakes onto the County in the Reconciliation Notice for [redacted] for the cost of 212 days. Petitioner argues that the doctrine of equitable estoppel, estoppel by laches or waiver precludes the Department of Human Services from receiving reimbursement of Title IV-E foster care payments that it previously paid in this case.

Respondent argues that the youth (ward) cannot assert a claim on behalf of the county, that the county has no standing to assert a claim and that the child is in no way damaged because the Title IV-E funding source was not used to pay petitioner's foster care payments. Respondent also argues that the Administrative Law Judge has no equity powers.

Pertinent Department policy dictates:

DHS may not use Title IV-E funds during an appeal process.

If Title IV-E payments have been made that should not have been, the following actions must be taken:

1. Complete a new Title IV-E funding determination or reimbursability determination in MiSACWIS immediately.

2. Ensure that the payment authorization is using the appropriate fund source of either state ward board and care or county child care funds.

3. Payments made from Title IV-E in error will not be reconciled prior to a MAHS hearing decision being made.

4. Following the MAHS hearing decision, reconciliation can be made as needed. The Federal Compliance Division will direct the local office on what payment action may need to be taken based on the MAHS hearing decision. FOM 902-05, page 15

The petitioner's grievance centers on dissatisfaction with the department's current policy. The claimant's request is not within the scope of authority delegated to this

Administrative Law Judge pursuant to a written directive signed by the Department of Human Services Director, which states:

> Administrative Law Judges have no authority to make decisions on constitutional grounds, overrule statutes, overrule promulgated regulations or overrule or make exceptions to the department policy set out in the program manuals.

Furthermore, administrative adjudication is an exercise of executive power rather than judicial power, and restricts the granting of equitable remedies. *Michigan Mutual Liability Co. v Baker*, 295 Mich 237; 294 NW 168 (1940).

Petitioner, in this case, makes compelling equitable arguments to be excused from department policy. The Administrative Law Judge has no equity powers in this case and cannot act outside of department policy.

DECISION AND ORDER

The Administrative Law Judge, by a preponderance of the evidence, based upon the above findings of fact and conclusions of law, decides that the Department appropriately determined by the necessary competent, material and substantial evidence in the record that the child did not meet to the standard to be eligible for reimbursement of Title IV-E benefits because there was no valid court order that grants DHS sole placement and care responsibility. DHS properly issued Reconciliation Notices that the county must pay DHS [redacted] for the cost of 212 days of Petitioner's care during which Petitioner was in court ordered placement due to the language used by the Court in its orders. DHS may pursue payment reconciliation in accordance with Department policy.

Accordingly, the Department's decision is **AFFIRMED**.

Landis Y. Lain

Landis Y. Lain
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 12/08/2014

Date Mailed: 12/09/2014

NOTICE OF APPEAL: 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 or Reconsideration was made, within 30 days of the receipt date of the Decision and Order of Reconsideration or Rehearing Decision.

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).

A Request for Rehearing or Reconsideration may be granted 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 Department, AHR or the claimant 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 the hearing decision is mailed.

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 48909-8139

LYL/sw

cc: [redacted]