



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

MARLON I. BROWN, DPA
ACTING DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: November 17, 2023
MOAHR Docket No.: 14-011356-R2
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Colleen Lack

ORDER OF DISMISSAL

On October 19, 2023, the Michigan Court of Appeals issued a published decision in *Hegadorn v Livingston County Dep't of Health and Human Servs*, __ Mich App __; __ NW2d __ (2023) (Docket No. 356756) (*Hegadorn III*). In its decision, the Court remanded the matter to the Michigan Office of Administrative Hearings and Rules (MOAHR) with a limited mandate to the presiding Administrative Law Judge (ALJ) summarized as follows:

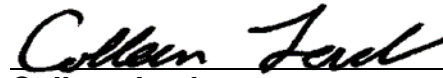
obtain the Special Supplemental Care Trust for Mary Ann Hegadorn; review its terms to determine whether its assets would have been countable in determining Mary Ann Hegadorn's Medicaid eligibility; and apply the any-circumstances test and calculations described in [*Hegadorn v Dep't of Human Servs Dir*, 503 Mich 231; 931 NW2d 571 (2019) (*Hegadorn II*)].

Pursuant to notice, a prehearing conference commenced as scheduled on November 15, 2023. James Steward, Attorney, represented the Petitioner. The Department of Health and Human Services (Department) was represented by Geraldine Brown, Assistant Attorney General. Tracy Nguyn, Eligibility Specialist Lead Worker, and Patty Holihan, Eligibility Worker, were also present.

After commencement of the prehearing conference, the parties agreed that there is no jurisdiction for MOAHR to proceed with an administrative hearing at this time. The parties asked that this matter be dismissed because Petitioner has filed a Motion for Reconsideration which is currently pending at the Court of Appeals.

Accordingly, this matter is, hereby, **DISMISSED**.

CL/dm



Colleen Lack
Administrative Law Judge

NOTICE OF APPEAL: A party may appeal this Order in circuit court within 30 days of the receipt date. A copy of the circuit court appeal must be filed with the Michigan Office of Administrative Hearings and Rules (MOAHR).

Via-Electronic Mail :

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