

**STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
FOR THE DEPARTMENT OF COMMUNITY HEALTH**  
P.O. Box 30763, Lansing, MI 48909  
Phone: (877) 833-0870; Fax: (517) 373-4147

IN THE MATTER OF:

Docket No. 2014-24782 HHS  
Case No. [REDACTED]

[REDACTED]

**HEARING INFORMATION**

Hearing Date: [REDACTED]

Start Time: [REDACTED]

Hearing Location:  
[REDACTED]

TO:

[REDACTED]  
c/o [REDACTED]  
[REDACTED]  
[REDACTED]

**PETITIONER**

[REDACTED]  
[REDACTED]  
[REDACTED]

**RESPONDENT**

**SETTLEMENT ORDER**

On [REDACTED], a hearing on this matter was convened. [REDACTED], Attorney, represented the Appellant. [REDACTED], Appeals Review Officer, represented the Department of Community Health. [REDACTED], Adult Services Supervisor and [REDACTED] [REDACTED]s, ILS Specialist, appeared as witnesses for the Department.

**ISSUE**

Whether the Department properly issued retroactive Home Help Services (HHS) benefits to the Appellant?

**FINDINGS OF FACT**

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

1. On [REDACTED], the Appellant was certified for HHS.
2. On [REDACTED], the Appellant was issued a referral date.
3. On [REDACTED], the Appellant's HHS application was denied.
4. On [REDACTED], the Appellant requested a hearing in regards to the [REDACTED] denial.

5. On [REDACTED], a hearing took place. During the hearing, the Department and the Appellant agreed to the rescission of the [REDACTED] denial.
6. The Department issued HHS payments for [REDACTED] through [REDACTED] [REDACTED], and [REDACTED] through [REDACTED].
7. On [REDACTED], the Appellant requested a hearing seeking HHS payments beginning [REDACTED].

### **CONCLUSIONS OF LAW**

The Medical Assistance Program is established pursuant to Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). It is administered in accordance with state statute, the Administrative Code, and the State Plan under Title XIX of the Social Security Act Medical Assistance Program.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, the Appellant was seeking HHS payments beginning [REDACTED] [REDACTED]. After commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: issue retroactive HHS payments dating back to [REDACTED] [REDACTED] based upon the assessment conducted by [REDACTED] in [REDACTED].

As a result of this settlement, Appellant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

### **DECISION AND ORDER**

The Administrative Law Judge concludes that the Department and Appellant have come to a settlement regarding Appellant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Issue retroactive HHS payments dating back to [REDACTED] based upon the assessment conducted by [REDACTED] in [REDACTED].

IT IS HEREBY ORDERED:

The hearing in this matter is DISMISSED.

[REDACTED]  
Docket No. 2014-24782 HHS  
Settlement Order

If you have any questions, please contact the Michigan Administrative Hearing System at (877) 833-0870.

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Corey A. Arendt  
Administrative Law Judge  
for James K. Haveman, Director  
Michigan Department of Community Health

cc:

[REDACTED]

[REDACTED]  
Date Signed: April 17, 2014

Date Mailed: April 17, 2014

**\*\*\* NOTICE \*\*\***

The Michigan Administrative Hearing System may order a rehearing on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. The Michigan Administrative Hearing System will not order a rehearing on the Department's motion where the final decision or rehearing cannot be implemented within 90 days of the filing of the original request. The Appellant 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 of the rehearing decision.