

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

**IN THE MATTER OF:**



Reg. No.: 14-010215-RECON  
Issue No.: 2004  
Case No.: [REDACTED]  
Hearing Date: November 12, 2014  
County: Genesee-District 2

**ADMINISTRATIVE LAW JUDGE:** Vicki Armstrong

**DECISION AND ORDER OF RECONSIDERATION/REHEARING**

This matter is before the undersigned Administrative Law Judge pursuant to a timely Request for Rehearing/Reconsideration of the Hearing Decision generated by the assigned Administrative Law Judge (ALJ) at the conclusion of the hearing conducted on July 12, 2014, and mailed to Claimant on July 24, 2014, in the above-captioned matter.

The Rehearing and Reconsideration process is governed by the Michigan Administrative Code, Rule 400.919, and applicable policy provisions articulated in the Bridges Administrative Manual (BAM), specifically BAM 600, which provide that a rehearing or reconsideration must be filed in a timely manner consistent with the statutory requirements of the particular program or programs at issue, and **may** be granted so long as the reasons for which the request is made comply with the policy and statutory requirements.

This matter having been reviewed, an Order Granting Request for Rehearing/Reconsideration was generated on December 26, 2014.

**ISSUE**

Whether the Department properly determined that Claimant met her MA-G2S Medical Spend down for January, 2014?

**FINDINGS OF FACT**

Upon a review of the entire hearing record, including the recorded testimony and evidence admitted, in addition to a review of the applicable law and policy governing the issues in this matter, this Administrative Law Judge incorporates the findings of fact of the Administrative Law Judge who conducted the hearing on November 12, 2014.

**CONCLUSIONS OF LAW**

In the instant case, the assigned Administrative Law Judge (ALJ) issued a Hearing Decision in the above captioned matter. The ALJ reversed the Department's failure to process Claimant's medical expenses within the standard of promptness for purposes of the Medical Assistance (MA) or "Medicaid" benefit program. The Request for

Rehearing/Reconsideration asserted, in essence, that the ALJ failed to address the medical expenses for the month of January, 2014, in the hearing decision. As such, the Request for Reconsideration was granted.

As part of the reconsideration processing, a review of the case file, all exhibits, the hearing record, applicable statutory and policy provisions, is required. During a review of this matter, it was discovered that the medical expenses for January, 2014, were not addressed during the hearing or in the ALJ's written decision. Because the original hearing record is inadequate for purposes of judicial review, MCL 24.287 provides that a rehearing shall be necessary. Accordingly, the Hearing Decision mailed on November 13, 2014, is **AFFIRMED** and the Request for Rehearing is **GRANTED** pursuant to MCL 24.287 on the sole issue of medical expenses for January, 2014.

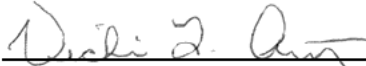
A Notice of Hearing will be mailed as soon as the hearing is scheduled.

**DECISION AND ORDER**

THEREFORE IT IS ORDERED that a new hearing in this matter shall be scheduled and a Notice of Hearing shall be sent to all identified parties and authorized representatives.

IT IS FURTHER ORDERED that this hearing will be a *de novo* hearing meaning all evidence and testimony will be considered for first time by the assigned Administrative Law Judge for medical expenses in the month of January, 2014.

**IT IS SO ORDERED.**

  
**Vicki Armstrong**  
Administrative Law Judge  
for Nick Lyon, Interim Director  
Department of Human Services

Date Signed: **1/9/2015**

Date Mailed: **1/9/2015**

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**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.

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