

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 15-009930  
Issue No.: 4009  
Case No.: [REDACTED]  
Hearing Date: August 18, 2015  
County: Livingston

**ADMINISTRATIVE LAW JUDGE:** Colleen Lack

**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; 42 CFR 431.200 to 431.250; and 45 CFR 205.10. After due notice, a telephone hearing was held on August 18, 2015, from Lansing, Michigan. Participants on behalf of Claimant included the Claimant, [REDACTED]; and [REDACTED] Livingston County Prisoner Re-Entry, Authorized Hearing Representative. Participants on behalf of the Department of Health and Human Services (Department) included [REDACTED], Eligibility Specialist.

During the hearing, Claimant waived the time period for the issuance of this decision, in order to allow for the submission of additional medical evidence. The evidence was received and reviewed.

**ISSUE**

Whether the Department properly determined that Claimant was not disabled for purposes of the Medical Assistance (MA) and/or State Disability Assistance (SDA) benefit programs?

**FINDINGS OF FACT**

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

1. On March 25, 2015, Claimant applied for SDA.
2. On April 28, 2015, the Medical Review Team (MRT) found Claimant not disabled.
3. On April 29, 2015, the Department notified Claimant of the MRT determination.
4. On June 8, 2015, the Department received Claimant's timely written request for hearing.

5. Claimant alleged disabling impairments including ankylosing spondylitis, osteoarthritis, chronic nerve pain, spinal injury, gastroesophageal reflux disease (GERD), and high blood pressure.
6. At the time of hearing, Claimant was 53 years old with an [REDACTED], birth date; was 5'10" in height; and weighed 198 pounds.
7. Claimant completed the 12<sup>th</sup> grade and has a work history including truck driving.
8. Claimant's impairments have lasted, or are expected to last, continuously for a period of 90 days or longer.

### **CONCLUSIONS OF LAW**

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

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. The Department (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

The State Disability Assistance (SDA) program, which provides financial assistance for disabled persons, was established by 2004 PA 344. The Department administers the SDA program pursuant to 42 CFR 435, MCL 400.10 *et seq.* and Mich Admin Code, Rules 400.3151 – 400.3180. A person is considered disabled for SDA purposes if the person has a physical or mental impairment which meets federal Supplemental Security Income (SSI) disability standards for at least ninety days. Receipt of SSI benefits based on disability or blindness, or the receipt of MA benefits based on disability or blindness, automatically qualifies an individual as disabled for purposes of the SDA program.

Disability is defined as the inability to do any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or which has lasted or can be expected to last for a continuous period of not less than 12 months. 20 CFR 416.905(a). The person claiming a physical or mental disability has the burden to establish it through the use of competent medical evidence from qualified medical sources such as his or her medical history, clinical/laboratory findings, diagnosis/prescribed treatment, prognosis for recovery and/or medical assessment of ability to do work-related activities or ability to reason and make appropriate mental adjustments, if a mental disability is alleged. 20 CFR 416.913. An individual's subjective pain complaints are not, in and of themselves, sufficient to establish disability. 20 CFR 416.908; 20 CFR 416.929(a). Similarly, conclusory

statements by a physician or mental health professional that an individual is disabled or blind, absent supporting medical evidence, is insufficient to establish disability. 20 CFR 416.927.

When determining disability, the federal regulations require several factors to be considered including: (1) the location/duration/frequency/intensity of an applicant's pain; (2) the type/dosage/effectiveness/side effects of any medication the applicant takes to relieve pain; (3) any treatment other than pain medication that the applicant has received to relieve pain; and (4) the effect of the applicant's pain on his or her ability to do basic work activities. 20 CFR 416.929(c)(3). The applicant's pain must be assessed to determine the extent of his or her functional limitation(s) in light of the objective medical evidence presented. 20 CFR 416.929(c)(2).

In order to determine whether or not an individual is disabled, federal regulations require a five-step sequential evaluation process be utilized. 20 CFR 416.920(a)(1). The five-step analysis requires the trier of fact to consider an individual's current work activity; the severity of the impairment(s) both in duration and whether it meets or equals a listed impairment in Appendix 1; residual functional capacity to determine whether an individual can perform past relevant work; and residual functional capacity along with vocational factors (i.e. age, education, and work experience) to determine if an individual can adjust to other work. 20 CFR 416.920(a)(4); 20 CFR 416.945.

If an individual is found disabled, or not disabled, at any step, a determination or decision is made with no need evaluate subsequent steps. 20 CFR 416.920(a)(4). If a determination cannot be made that an individual is disabled, or not disabled, at a particular step, the next step is required. 20 CFR 416.920(a)(4). If an impairment does not meet or equal a listed impairment, an individual's residual functional capacity is assessed before moving from step three to step four. 20 CFR 416.920(a)(4); 20 CFR 416.945. Residual functional capacity is the most an individual can do despite the limitations based on all relevant evidence. 20 CFR 416.945(a)(1). An individual's residual functional capacity assessment is evaluated at both steps four and five. 20 CFR 416.920(a)(4). In determining disability, an individual's functional capacity to perform basic work activities is evaluated and if found that the individual has the ability to perform basic work activities without significant limitation, disability will not be found. 20 CFR 416.994(b)(1)(iv). In general, the individual has the responsibility to prove disability. 20 CFR 416.912(a). An impairment or combination of impairments is not severe if it does not significantly limit an individual's physical or mental ability to do basic work activities. 20 CFR 416.921(a). The individual has the responsibility to provide evidence of prior work experience; efforts to work; and any other factor showing how the impairment affects the ability to work. 20 CFR 416.912(c)(3)(5)(6).

As outlined above, the first step looks at the individual's current work activity. In the record presented, the Claimant is not involved in substantial gainful activity. Therefore, Claimant is not ineligible for disability benefits under Step 1.

The severity of the Claimant's alleged impairment(s) is considered under Step 2. The Claimant bears the burden to present sufficient objective medical evidence to substantiate the alleged disabling impairments. In order to be considered disabled for MA purposes, the impairment must be severe. 20 CFR 416.920(a)(4)(ii); 20 CFR 416.920(b). An impairment, or combination of impairments, is severe if it significantly limits an individual's physical or mental ability to do basic work activities regardless of age, education and work experience. 20 CFR 416.920(a)(4)(ii); 20 CFR 416.920(c). Basic work activities means the abilities and aptitudes necessary to do most jobs. 20 CFR 416.921(b). Examples include:

1. Physical functions such as walking, standing, sitting, lifting, pushing, pulling, reaching, carrying, or handling;
2. Capacities for seeing, hearing, and speaking;
3. Understanding, carrying out, and remembering simple instructions;
4. Use of judgment;
5. Responding appropriately to supervision, co-workers and usual work situations; and
6. Dealing with changes in a routine work setting.

The second step allows for dismissal of a disability claim obviously lacking in medical merit. *Higgs v Bowen*, 880 F2d 860, 862 (CA 6, 1988). The severity requirement may still be employed as an administrative convenience to screen out claims that are totally groundless solely from a medical standpoint. *Id.* at 863 citing *Farris v Sec of Health and Human Services*, 773 F2d 85, 90 n.1 (CA 6, 1985). An impairment qualifies as non-severe only if, regardless of a Claimant's age, education, or work experience, the impairment would not affect the Claimant's ability to work. *Salmi v Sec of Health and Human Services*, 774 F2d 685, 692 (CA 6, 1985).

In the present case, Claimant alleges disabling impairments including ankylosing spondylitis, osteoarthritis, chronic nerve pain, spinal injury, GERD, and high blood pressure.

A [REDACTED], x-ray of the cervical spine showed spurring at C5-6. (Claimant Exhibit 1, p. 2)

A [REDACTED], cervical spine and bilateral hand x-ray report showed ankyloses and spondylitis in the cervical spine as well as mild or early arthritic changes in both hands mainly at the metacarpal and carpal articulating joint spaces. (Claimant Exhibit 1, p. 1)

Records from the Department of Corrections document diagnosis and treatment of multiple conditions including: tinnitus, hypertension, hyperlipidemia, diabetes, esophageal reflux, generalized osteoarthritis, and history of cervical fusion. (Department Exhibit A, pp. 20-29)

An [REDACTED], DHS-49 Medical Examination Report documents diagnoses of non-insulin dependent diabetes mellitus, hyperlipidemia, back pain, GERD, acid reflux, anxiety and depression. The doctor had only seen Claimant for one office visit and did not address any of the limitations specified on the form. The attached progress note, in part, states needs physical therapy for back and MRI as the pain is not proportional to the physical findings. In addition to the diagnoses on the DHS-49 Medical Examination Report, the assessment portion of the progress note also lists diagnoses of hypertension and osteoarthritis. (Department Exhibit A, pp. 14-19) The documentation indicates this was a consultative examination set up by the Department. Claimant asserted that during this appointment the doctor focused on his felony conviction and did not thoroughly evaluate his disabilities.

A [REDACTED], cervical spine x-ray showed: thick ossification of anterior longitudinal ligament; cervical vertebral body height maintained from skull base to C-6, lower cervical spine and cervical-thoracic joint not well seen on lateral view; prevertebral soft tissue space within normal limits; suspect at least mild cervical facet hypertrophy; the atlantoaxial relationship on open mouth view appeared preserved. (Claimant Exhibit 2, pp. 12-13)

A [REDACTED], cervical-thoracic evaluation report was included. Claimant had significant range of motion restriction in the cervical spine. Claimant was barely able to move his neck out of the neutral position actively and passively the physical therapist was unable to move it much more. Claimant had severe hypomobility of the cervical facets and tightness of the cervical musculature. (Claimant Exhibit 2, pp. 19-22)

A [REDACTED], order requisition form documents diagnoses including cervicalgia, diabetes, esophageal reflux, hyperlipidemia, and hypertension. The request was for physical therapy. (Claimant Exhibit 2, p. 7)

A [REDACTED], spine x-ray report showed multilevel degenerative changes with bridging osteophytes and facet hypertrophy. (Claimant Exhibit 2, p. 6)

On [REDACTED], Claimant participated in a 3.5 hour Functional Capacity Evaluation. It was stated that Claimant's current abilities fall within the light work category per the dictionary of occupational titles. Recommended work accommodations included: standing 3.5 hours frequent, 3 hours continuous; sitting 3.5 hours occasional, 3 hours continuous; walking consistent for up to ¼ mile, frequent short distances; climbing consistent for up to 4 flights of stairs; kneeling occasional for repetitive and sustained; squatting occasional, fingertip 10 inches from floor; bilateral lift maximum of 15 pounds from floor to overhead, 28 pounds from waist to overhead, unilateral lift maximum of 25 pounds with right and left upper extremity 45 reps, 2.5 pounds from 33 inches to 66 inches high shelf 80 reps; bilateral carry maximum of 33 pounds for 30 feet one rep; pull

(bilateral) maximum of 45 pounds one rep, push (bilateral) maximum of 40 pounds one rep 90 feet combined; reaching forward 3.5 hours consistent; handling maximum of 33 pounds (bilateral upper extremities), unilateral 2.5 pounds with right and left upper extremity 80 reps; and fine motor manipulation tasks duration of 1 hour 26 continuous minutes. (Department Exhibit 2, pp. 2-4, Claimant Exhibit 2, pp. 2-5)

An [REDACTED], Cervical-Thoracic Re-Evaluation report was included. Claimant has severe hypomobility of the cervical spine with possible ankyloses. Claimant has very little active or passive motion in the cervical spine. Claimant is limited in the thoracic and lumbar spine as well. Claimant had some minor improvements in motion, 5 degrees in each plane. Claimant was only attending physical therapy one day a week and was encouraged to attend at least twice a week to get full benefit. Continued physical therapy was recommended to attempt to increase range of motion so that Claimant can have functional motion in his neck. (Claimant Exhibit 2, pp. 15-18)

An [REDACTED], letter from Michigan Rehabilitation Services (MRS) states that Claimant has been determined to be eligible for services through MRS. (Department Exhibit 2, pg. 6)

A [REDACTED], letter from MRS states that Claimant has been determined to be eligible for services through MRS. This letter also noted that per the Functional Capacities Evaluation and medical documentation Claimant will have significant limitations to employability. Claimant is diagnosed with ankylosing spondylitis, low back pain, sciatica, and arthritis of the hands. Claimant has lifting, standing, sitting, and work tolerance limitations. (Claimant Exhibit 2, p. 8)

As previously noted, Claimant bears the burden to present sufficient objective medical evidence to substantiate the alleged disabling impairment(s). As summarized above, Claimant has presented medical evidence establishing that he does have some limitations on the ability to perform basic work activities. The medical evidence has established that the Claimant has an impairment, or combination thereof, that has more than a *de minimis* effect on the Claimant's basic work activities. Further, the impairments have lasted, or can be expected to last, continuously for 90 days; therefore, the Claimant is not disqualified from receipt of SDA benefits under Step 2.

In the third step of the sequential analysis of a disability claim, the trier of fact must determine if the Claimant's impairment, or combination of impairments, is listed in Appendix 1 of Subpart P of 20 CFR, Part 404. The evidence confirms recent diagnosis and treatment of ankylosing spondylitis, cervicgia, back pain, osteoarthritis, diabetes, hyperlipidemia, hypertension, GERD, anxiety and depression.

Based on the objective medical evidence, considered listings included 1.00 Musculoskeletal System. However, the medical evidence was not sufficient to meet the intent and severity requirements of any listing, or its equivalent. Accordingly, the Claimant cannot be found disabled, or not disabled, at Step 3; therefore, the Claimant's eligibility is considered under Step 4. 20 CFR 416.905(a).

Before considering the fourth step in the sequential analysis, a determination of the individual's residual functional capacity ("RFC") is made. 20 CFR 416.945. An individual's RFC is the most he/she can still do on a sustained basis despite the limitations from the impairment(s). *Id.* The total limiting effects of all the impairments, to include those that are not severe, are considered. 20 CFR 416.945(e).

To determine the physical demands (exertional requirements) of work in the national economy, jobs are classified as sedentary, light, medium, heavy, and very heavy. 20 CFR 416.967. Sedentary work involves lifting of no more than 10 pounds at a time and occasionally lifting or carrying articles like docket files, ledgers, and small tools. 20 CFR 416.967(a). Although a sedentary job is defined as one which involves sitting, a certain amount of walking and standing is often necessary in carrying out job duties. *Id.* Jobs are sedentary if walking and standing are required occasionally and other sedentary criteria are met. Light work involves lifting no more than 20 pounds at a time with frequent lifting or carrying objects weighing up to 10 pounds. 20 CFR 416.967(b). Even though weight lifted may be very little, a job is in this category when it requires a good deal of walking or standing, or when it involves sitting most of the time with some pushing and pulling of arm or leg controls. *Id.* To be considered capable of performing a full or wide range of light work, an individual must have the ability to do substantially all of these activities. *Id.* An individual capable of light work is also capable of sedentary work, unless there are additionally limiting factors such as loss of fine dexterity or inability to sit for long periods of time. *Id.* Medium work involves lifting no more than 50 pounds at a time with frequent lifting or carrying of objects weighing up to 25 pounds. 20 CFR 416.967(c). An individual capable of performing medium work is also capable of light and sedentary work. *Id.* Heavy work involves lifting no more than 100 pounds at a time with frequent lifting or carrying of objects weighing up to 50 pounds. 20 CFR 416.967(d). An individual capable of heavy work is also capable of medium, light, and sedentary work. *Id.* Finally, very heavy work involves lifting objects weighing more than 100 pounds at a time with frequent lifting or carrying objects weighing 50 pounds or more. 20 CFR 416.967(e). An individual capable of very heavy work is able to perform work under all categories. *Id.*

Limitations or restrictions which affect the ability to meet the demands of jobs other than strength demands (exertional requirements, i.e. sitting, standing, walking, lifting, carrying, pushing, or pulling) are considered nonexertional. 20 CFR 416.969a(a). In considering whether an individual can perform past relevant work, a comparison of the individual's residual functional capacity with the demands of past relevant work. *Id.* If an individual can no longer do past relevant work the same residual functional capacity assessment along with an individual's age, education, and work experience is considered to determine whether an individual can adjust to other work which exists in the national economy. *Id.* Examples of non-exertional limitations or restrictions include difficulty to function due to nervousness, anxiousness, or depression; difficulty maintaining attention or concentration; difficulty understanding or remembering detailed instructions; difficulty in seeing or hearing; difficulty tolerating some physical feature(s) of certain work settings (i.e. can't tolerate dust or fumes); or difficulty performing the manipulative or postural functions of some work such as reaching, handling, stooping,

climbing, crawling, or crouching. 20 CFR 416.969a(c)(1)(i) – (vi). If the impairment(s) and related symptoms, such as pain, only affect the ability to perform the non-exertional aspects of work-related activities, the rules in Appendix 2 do not direct factual conclusions of disabled or not disabled. 20 CFR 416.969a(c)(2). The determination of whether disability exists is based upon the principles in the appropriate sections of the regulations, giving consideration to the rules for specific case situations in Appendix 2. *Id.*

The evidence confirms recent diagnosis and treatment of ankylosing spondylitis, cervicalgia, back pain, osteoarthritis, diabetes, hyperlipidemia, hypertension, GERD, anxiety and depression. Claimant's testimony indicated he can walk 100 yards, stand 15-20 minutes, sit 10-30 minutes, and lift 10-15 pounds but would have trouble bending to pick it up as well as walking to carry it. Claimant further testified he cannot drive because he could not pass a driving test due to being unable to move/bend his neck. Claimant's testimony regarding his limitations is not fully supported by the medical evidence and found only partially credible. For example, the medical records support the neck range of motion limitations. However, the Functional Capacity Evaluation indicates Claimant can stand at least 3 hours and sit at least 3 hours. Overall, the Functional Capacity Evaluation is found to be the most credible evidence of Claimant's abilities to perform work activities. After review of the entire record it is found, at this point, that Claimant maintains the residual functional capacity to perform limited light work as defined by 20 CFR 416.967(b) on a sustained basis. Limitations are as described in the Functional Capacity Evaluation recommendations as well as no driving and work that does not require turning/bending the neck.

The fourth step in analyzing a disability claim requires an assessment of the Claimant's residual functional capacity ("RFC") and past relevant employment. 20 CFR 416.920(a)(4)(iv). An individual is not disabled if he/she can perform past relevant work. *Id.*; 20 CFR 416.960(b)(3). Past relevant work is work that has been performed within the past 15 years that was a substantial gainful activity and that lasted long enough for the individual to learn the position. 20 CFR 416.960(b)(1). Vocational factors of age, education, and work experience, and whether the past relevant employment exists in significant numbers in the national economy is considered. 20 CFR 416.960(b)(3).

Claimant has a work history of truck driving. In light of the entire record and Claimant's RFC (see above), it is found that Claimant is not able to perform his past relevant work. Accordingly, the Claimant cannot be found disabled, or not disabled, at Step 4; therefore, the Claimant's eligibility is considered under Step 5. 20 CFR 416.905(a).

In Step 5, an assessment of Claimant's residual functional capacity and age, education, and work experience is considered to determine whether an adjustment to other work can be made. 20 CFR 416.920(4)(v). At the time of hearing, Claimant was 53 years old and, thus, considered to be closely approaching advanced age for disability purposes. Claimant completed the 12<sup>th</sup> grade and has a work history including truck driving. The skill from the truck driving work would not be transferable to other types of work. Disability is found if an individual is unable to adjust to other work. *Id.* At this point in



the analysis, the burden shifts from the Claimant to the Department to present proof that the Claimant has the residual capacity to substantial gainful employment. 20 CFR 416.960(2); *Richardson v Sec of Health and Human Services*, 735 F2d 962, 964 (CA 6, 1984). While a vocational expert is not required, a finding supported by substantial evidence that the individual has the vocational qualifications to perform specific jobs is needed to meet the burden. *O'Banner v Sec of Health and Human Services*, 587 F2d 321, 323 (CA 6, 1978). Medical-Vocational guidelines found at 20 CFR Subpart P, Appendix II, may be used to satisfy the burden of proving that the individual can perform specific jobs in the national economy. *Heckler v Campbell*, 461 US 458, 467 (1983); *Kirk v Secretary*, 667 F2d 524, 529 (CA 6, 1981) *cert den* 461 US 957 (1983).

The evidence confirms recent diagnosis and treatment of ankylosing spondylitis, cervicgia, back pain, osteoarthritis, diabetes, hyperlipidemia, hypertension, GERD, anxiety and depression. As noted above, Claimant maintains the residual functional capacity to perform limited light work as defined by 20 CFR 416.967(b) on a sustained basis. Limitations are as described in the Functional Capacity Evaluation recommendations as well as no driving and work that does not require turning/bending the neck. Considering these limitations, there is insufficient evidence to establish that significant jobs would still exist in the national economy.

After review of the entire record, and in consideration of the Claimant's age, education, work experience, RFC, Claimant is found disabled at Step 5.

In this case, the Claimant is found disabled for purposes SDA benefits as the objective medical evidence establishes a physical or mental impairment that met the federal SSI disability standard with the shortened duration of 90 days. In light of the foregoing, it is found that Claimant's impairments did preclude work at the above stated level for at least 90 days.

Additionally, persons receiving certain types of benefits or services meet the SDA disability criteria, including MRS services. A person is receiving services if he has been determined eligible for MRS and has a signed active individual plan for employment (IPE) with MRS. BEM 261, (July 1, 2014), pp. 2. It appears that Claimant now meets the disability criteria for SDA based on his participation with MRS, presuming he has a signed active IPE. The letters from MRS document that there were delays in determining Claimant's eligibility for the May 15, 2015, application. However, when the determination was eventually made, Claimant was determined eligible for MRS. (Claimant Exhibit 1, p. 3, Department Exhibit 2, p. 5, and Claimant Exhibit 2, p. 8)

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds Claimant disabled for purposes of the SDA benefit program.

**DECISION AND ORDER**

Accordingly, the Department's determination is **REVERSED**.

THE DEPARTMENT IS ORDERED TO INITIATE THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Initiate a review of the application dated March 25, 2015, for SDA, if not done previously, to determine Claimant's non-medical eligibility. The Department shall inform Claimant of the determination in writing. A review of this case shall be set for March 2016.
2. The Department shall supplement for lost benefits (if any) that Claimant was entitled to receive, if otherwise eligible and qualified in accordance with Department policy.



---

**Colleen Lack**  
Administrative Law Judge  
for Nick Lyon, Director  
Department of Health and Human  
Services

Date Signed: **9/17/2015**

Date Mailed: **9/17/2015**

CL/las

**NOTICE OF APPEAL:** A party may appeal this Hearing Decision in the circuit court in the county in which he/she resides, 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 48909-8139

cc:

