

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

P.O. Box 30763, Lansing, MI 48909
Phone: (877) 833-0870; Fax: (517) 373-4147

IN THE MATTER OF:

Docket No. 15-021756 HHS
Case No. [REDACTED]

[REDACTED],

Appellant

HEARING DECISION AND ORDER

Upon Appellant's request for hearing, a telephone hearing was held on [REDACTED] [REDACTED]. Appellant appeared to testify. [REDACTED], Appeals Review Officer, appeared on behalf of the Respondent, Department of Health and Human Services (Respondent or Department). [REDACTED], Adult Services Worker and [REDACTED], Adult Services Supervisor, appeared to testify on behalf of the Department.

On [REDACTED], the Adult Services Worker conducted an initial visit with Appellant.

On [REDACTED], the Department sent Appellant an Adequate Action Notice informing her that home help services would be denied as the assessment did not reflect a need for hands on assistance with an Activity of Daily Living as required by policy.

On [REDACTED], Appellant filed a request for a hearing to contest the Department's determination.

On [REDACTED], the Appeals Review Officer conceded on the record that Appellant needs a bath chair, should have been scored a '3' ranking and therefore, does require assistance with the bathing which is an activity of Daily Living. Thus, the Department's decision should be REVERSED and Appellant's Home Help Services application reinstated, her provider enrolled and a Home Help Services case opened.

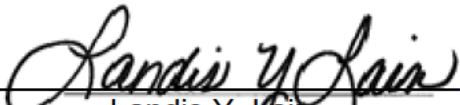
At the conclusion of the hearing it was determined that the negative action was deleted and no negative action took place. The matter is resolved.

[REDACTED]
Docket No. 15-021756 HHS
Order of Dismissal

IT IS THEREFORE ORDERED that:

The above matter is **REVERSED**. The Department is **ORDERED** to

1. Reinstate Appellant's Home Help Services Application
2. Rank Appellant at least a '3' in the area of bathing,
3. Enroll Appellant's chore provider and
4. Pay to Appellant any benefits to which she is entitled from the October 16, 2015 in-home assessment date.


Landis Y. Lain

Administrative Law Judge
for Nick Lyon, Director
Michigan Department of Health and Human
Services

cc:

[REDACTED]

LYL [REDACTED]

Date Mailed: February 11, 2016

***** 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.