



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Christopher Seppanen
Executive Director

SHELLY EDGERTON
DIRECTOR

[REDACTED]

Date Mailed: December 9, 2016
MAHS Docket No.: 16-014886
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Eric J. Feldman

ORDER OF DISMISSAL

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37, and 7 CFR 273.15 to 273.18, 42 CFR 431.200 to 431.250, 45 CFR 99.1 to 99.33, and 45 CFR 205.10; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on [REDACTED], from Detroit, Michigan. The Petitioner was represented by [REDACTED] and her daughter/translator, [REDACTED]. The Department of Health and Human Services (Department) was represented by [REDACTED], Hearings Facilitator.

Regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in Mich Admin Code, R 792.10101 to R 792.10137 and R 792.11001 to R 792.11020. Rule 792.11002(1) provides as follows:

An opportunity for a hearing shall be granted to an applicant who requests a hearing because his or her claim for assistance is denied or is not acted upon with reasonable promptness, has received notice of a suspension or reduction in benefits, or exclusion from a service program, or has experienced a failure of the agency to take into account the recipient's choice of service.

On [REDACTED], the Department sent Petitioner a Health Care Coverage Determination Notice (determination notice) notifying her of the following: (i) [REDACTED] was approved for Medical Assistance (MA) benefits effective [REDACTED] ongoing (with a \$ [REDACTED] monthly deductible); and (ii) Petitioner and her spouse, [REDACTED], MA – Health Michigan Plan (HMP) benefits closed effective [REDACTED]. Exhibit A, pp. 2-10.

On [REDACTED], Petitioner filed a hearing request, protesting the Department's action. Exhibit A, p. 1.

Shortly after commencement of the hearing, it was discovered that Petitioner reapplied for MA benefits on [REDACTED], and she and her spouse were approved for MA – HMP coverage effective [REDACTED], which resulted in no lapse in coverage. Petitioner acknowledged that she and her spouse’s MA benefits had been reinstated as a result of the application. Moreover, Petitioner indicated that she was not disputing her son’s, [REDACTED] MA coverage.

Based on the foregoing information and evidence, Petitioner’s MA hearing issue has been resolved. There is nothing further the undersigned Administrative Law Judge (ALJ) can address for this hearing. Because Petitioner’s MA issue is now moot, she is no longer an aggrieved party; and therefore, her hearing request (dated [REDACTED] [REDACTED] is **DISMISSED**. See Bridges Administrative Manual (BAM) 600 (October 2015 and October 2016), pp. 1-6.

IT IS SO ORDERED.

EJF/jaf



Eric J. Feldman
Administrative Law Judge
for Nick Lyon, Director
Department of Health and Human Services

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 Administrative Hearing System.

DHHS

[REDACTED]

Petitioner

[REDACTED]

Via email

[REDACTED]