



RICK SNYDER
GOVERNOR

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

MIKE ZIMMER
DIRECTOR



Date Mailed: March 29, 2016
MAHS Docket No.: 16-000002
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

DECISION AND ORDER

Upon Petitioner's request for hearing, a notice of hearing was issued, scheduling a telephone hearing for [REDACTED] at [REDACTED] [REDACTED] Appeals Review Officer and [REDACTED], Adult Services Supervisor, appeared and testified on behalf of the Department of Health and Human Services (Department). Petitioner appeared and testified.

Petitioner is a Home Help Services (HHS) benefit recipient.

On [REDACTED], Petitioner filed a request for a hearing to contest the lack of provider payments made for [REDACTED]. The facts are not at issue. The Department witness conceded on the record that Petitioner is entitled to the HHS payments and that it erred in failure to pay for HHS provided.

At the commencement of the hearing, and after taking testimony, the Department Appeals Review Officer indicated that the issue was resolved because all provider payments are up to date except for [REDACTED] and late payments have been reinstated.

Evidence on the record established that the ASCAP system indicates that the provider payment for [REDACTED] was submitted and the warrants issued by the Department. The only outstanding payment is [REDACTED]. The Department has put in a ticket for an exception and is just waiting for approval from Central Office to make payment to Petitioner. Once approval is granted by Central Office the payment will be put on the system and the payment warrant should be forthcoming soon. All parties were satisfied that the issue is now resolved.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Department did not establish by the necessary competent, material and substantial evidence on the record that it was acting in compliance with Department policy when it failed to pay Petitioner for HHS services for the dates of [REDACTED].

IT IS THEREFORE ORDERED THAT:

With the issue being resolved, the Department's failure to pay Petitioner for HHS provided is **REVERSED** and the Department is **ORDERED** to make payments to Petitioner in the amount that she is eligible to receive for the time period of [REDACTED].

LL [REDACTED]



Landis Y. Lain
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 (MAHS).

A party may request a rehearing or reconsideration of this Order if the request is received by MAHS within 30 days of the date the Order was issued. The party requesting a rehearing or reconsideration must provide the specific reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088; 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 30763
Lansing, Michigan 48909-8139

Agency Representative

[REDACTED]

Petitioner

[REDACTED]

DHHS Department Rep.

[REDACTED]

DHHS -Dept Contact

[REDACTED]

DHHS-Location Contact

[REDACTED]