



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ORLENE HAWKS
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: December 19, 2019
MOAHR Docket No.: 19-012365
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

INTERIM ORDER EXTENDING THE RECORD

Following Petitioner'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; 42 CFR 438.400 to 438.424; and 45 CFR 205.10. After due notice, a telephone hearing was held on December 18, 2019, from Detroit, Michigan. Petitioner appeared and represented himself. The Department of Health and Human Services (Department) was represented by [REDACTED], Hearing Facilitator and Family Independence Manager.

Petitioner, having requested an opportunity to submit additional evidence not available at this hearing, or it otherwise having been determined that additional evidence is required following medical evaluations or based on the record provided at the hearing, and the parties having waived any violation of statutory or policy time standards,

IT IS HEREBY ORDERED THAT:

1. **The Department** shall have until **Monday, December 30, 2019** to submit the following additional evidence as identified on the record:
 - a. A copy of the Disability Determination Service (DDS) documents that includes the medical documents from the medical providers identified on pages 52 and 53 of Exhibit A, running 196 pages. Upon receipt, the documents will be marked and admitted into evidence as the Department's Exhibit B, as specified on the record.
2. No additional extensions of time to submit the referenced evidence shall be granted unless good cause is demonstrated.
3. The additional evidence to be admitted as part of the hearing record shall be sent to the following address:


Michigan Office of Administrative Hearings and Rules
Detroit Office
Cadillac Place
3038 W Grand Blvd, Annex, Suite 3-700
Detroit, Michigan 48202

ATTN: Administrative Law Judge Alice C. Elkin

4. The party submitting the additional evidence shall also submit a Proof of Service attesting to having provided the same documentation to all parties of record and their authorized representatives. For purposes of serving the Department, a duplicate copy of the additional evidence shall be provided to the Department's local office participating in these proceedings for inclusion into Petitioner's medical file.

IT IS FURTHER ORDERED THAT no additional evidence other than the evidence submitted consistent with this ORDER will be reviewed or considered. If neither party has submitted the additional evidence which is the subject of this Interim Order Extending the Record at the conclusion of the extension period, the hearing record will close and a decision will be issued based upon the evidence and testimony available at the hearing. Any additional evidence submitted consistent with this ORDER shall be admitted as part of the record as Exhibit B, as provided in the record, and the hearing record will close, and the evidence will be reviewed after which a Hearing Decision will be issued. Any additional evidence not submitted in accordance with this procedure will not be reviewed or considered by the Administrative Law Judge.

ACE/tlf



Alice C. Elkin
Administrative Law Judge
for Robert Gordon, 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 Office of Administrative Hearings and Rules (MOAHR).

A party may request a rehearing or reconsideration of this Order if the request is received by MOAHR 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. MOAHR will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MOAHR. If submitted by fax, the written request must be faxed to (517) 763-0155; Attention: MOAHR Rehearing/Reconsideration Request.

If submitted by mail, the written request must be addressed as follows:

Michigan Office of Administrative Hearings and Rules
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-8139

Via Email:

MDHHS-Muskegon-Hearings
MOAHR

Petitioner – Via First-Class Mail:

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