



GRETCHEN WHITMER
GOVERNOR

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

ORLENE HAWKS
DIRECTOR

[REDACTED]
MI [REDACTED]

Date Mailed: April 16, 2021
MOAHR Docket No.: 21-001605
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Robert J. Meade

ORDER OF DISMISSAL

Upon receipt of Petitioner's March 31, 2021 request for expedited hearing, a hearing was scheduled for April 15, 2021 at 1:30 p.m. On April 9, 2021, Respondent requested that the matter be converted to a prehearing conference because the matter had been resolved. At the prehearing conference, [REDACTED] Foster Care Supervisor, Catholic Charities, appeared on Petitioner's behalf. Teresa Smith, Fair Hearings Officer, appeared on behalf of Respondent, LifeWays Community Mental Health.

At the prehearing conference, Petitioner's representative confirmed that LifeWays had now authorized Petitioner's placement at Hawthorne Psychiatric Hospital following a hearing in the Hillsdale County Circuit Court, but expressed concerns that Petitioner had to resort to an emergency hearing in Circuit Court to get the relief he sought and what might happen with future authorizations by LifeWays. Petitioner's representative was advised that because the issue on appeal had been resolved by the Circuit Court, there was no longer jurisdiction for a Medicaid Fair Hearing. Petitioner's representative was advised that Petitioner would have the right to request a new Medicaid Fair Hearing if Respondent took further negative actions in the future.

Given that the issue has been resolved, it is determined that a hearing in this matter is no longer necessary and the matter should be dismissed.

IT IS THEREFORE ORDERED that:

The above matter is DISMISSED.

RM/sb

Robert J. Meade
Administrative Law Judge
for Elizabeth Hertel, 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 30763
Lansing, Michigan 48909-8139

DHHS -Dept Contact

Belinda Hawks
320 S. Walnut St.
5th Floor
Lansing, MI
48913
MDHHS-BHDDA-hearings-notices@michigan.gov

Authorized Hearing Rep.

[REDACTED]
c/o JLC Catholic Charities
[REDACTED]
[REDACTED], MI
[REDACTED]

Petitioner

[REDACTED]
[REDACTED]
[REDACTED], MI
[REDACTED]

DHHS Department Rep.

Teresa Smith
Lifeways
1200 N West Ave
Jackson, MI
49202
teresa.smith@lifewayscmh.org