



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] MI [REDACTED]

Date Mailed: April 21, 2023  
MOAHR Docket No.: 22-005750-RECON  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie**

**ORDER DENYING REQUEST FOR REHEARING/RECONSIDERATION**

This matter is before the undersigned Administrative Law Judge (ALJ) pursuant to the Request for Rehearing/Reconsideration by [REDACTED] Petitioner, of the Hearing Decision issued by the undersigned at the conclusion of the hearing conducted on January 19, 2023, and mailed on January 26, 2023, in the above-captioned matter.

The rehearing and reconsideration process is governed by the Michigan Administrative Code, Rule 792.11015, *et seq.*, and applicable policy provisions articulated in the Bridges Administrative Manual (BAM), specifically BAM 600, which provide that a rehearing or reconsideration must be filed in a timely manner consistent with the statutory requirements of the particular program that is the basis for the client's benefits application and **may** be granted so long as the reasons for which the request is made comply with the policy and statutory requirements. MCL 24.287 also provides for rehearing if the hearing record is inadequate for judicial review.

A rehearing is a full hearing which **may** be granted if either of the following applies:

- The original hearing record is inadequate for purposes of judicial review; or
- There is newly discovered evidence **that existed** at the time of the original hearing that could affect the outcome of the original hearing decision.

A reconsideration is a paper review of the facts, law or legal arguments and any newly discovered evidence that existed at the time of the hearing. It may be granted when the original hearing record is adequate for purposes of judicial review and a rehearing is not necessary, but one of the parties is able to demonstrate that the Administrative Law Judge failed to accurately address all the relevant issues raised in the hearing request. Reconsiderations **may** be granted if requested for one of the following reasons:

- Misapplication of manual policy or law in the hearing decision, which led to the wrong decision;
- Typographical errors, mathematical error, or other obvious errors in the hearing decision that affect the substantial rights of the petitioner; or

- Failure of the Administrative Law Judge to address other relevant issues in the hearing decision.


In the instant case, the ALJ issued a Hearing Decision in the above-captioned matter affirming the Department of Health and Human Services' decision of a FAP overissuance due to Client error from May 1, 2020, through October 31, 2020, in the amount of [REDACTED]

On the April 24, 2023, Request for Rehearing/Reconsideration, Petitioner argues that he would like to be represented by legal counsel during the hearing, but the hearing has already been held with a final decision issued by the Administrative Law Judge. The Petitioner fails to articulate any other basis that would warrant the granting of a rehearing/reconsideration.

Accordingly, the Request for Rehearing/Reconsideration is DENIED.

**IT IS SO ORDERED.**

CF/tlf



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**Carmen G. Fahie**  
Administrative Law Judge

**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.

**Via-Electronic Mail :**

**DHHS**  
Lacey Whitford  
Isabella County DHS  
1919 Parkland Drive  
Mt. Pleasant, MI 48858

**DHHS Department Rep.**

Overpayment Research and Verification  
(ORV)  
235 S Grand Ave  
Suite 1011  
Lansing, MI 48909

**Via-First Class Mail :**

**Petitioner**  
[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]