



GRETCHEN WHITMER  
GOVERNOR

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

MARLON I. BROWN, DPA  
ACTING DIRECTOR

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

Date Mailed: September 15, 2023  
MOAHR Docket No.: 23-003934-RECON  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**SUPERVISING ADMINISTRATIVE LAW JUDGE: Marya A. Nelson-Davis**

**ORDER DENYING REQUEST FOR REHEARING AND/OR RECONSIDERATION**

This matter is before the undersigned Supervising Administrative Law Judge pursuant to Petitioner's request for rehearing and/or reconsideration of the Hearing Decision issued by Administrative Law Judge (ALJ) Danielle Nuccio at the conclusion of the hearing conducted on August 7, 2023, and mailed on August 15, 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 this case, the assigned ALJ issued a Hearing Decision in this matter concluding that the Department of Health and Human Services (Respondent) properly denied Petitioner's application for cash assistance, including State Disability Assistance, because he did not meet the eligibility criteria. Additionally, Petitioner acknowledged that he was denied disability benefits by the Social Security Administration.

Respondent requested an appeal of the assigned ALJ's Hearing Decision but failed to articulate any basis that would warrant granting a rehearing and/or reconsideration of this matter. A full review of Petitioner's appeal fails to demonstrate that it is based on a misapplication of manual policy or law in the Hearing Decision; typographical errors, mathematical errors, or other obvious errors in the Hearing Decision that affect the substantial rights of Petitioner; or a failure of the assigned ALJ to address other relevant issues in the Hearing Decision. Furthermore, Petitioner failed to present any basis for finding that the original hearing record is inadequate for judicial review, and he did not present any newly discovered evidence that could affect the outcome of the hearing.

Accordingly, Petitioner's request for rehearing and/or reconsideration is DENIED.

**IT IS SO ORDERED.**

MN-D/tlf

  
**Marya Nelson-Davis**  
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**  
Kelly Sutherland  
Livingston County DHHS  
2300 E Grand River Ste. 1  
Howell, MI 48843

**Via-First Class Mail :**

**Petitioner**

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