



GRETCHEN WHITMER
GOVERNOR

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

MARLON BROWN
DIRECTOR

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Date Mailed: July 2, 2024
MOAHR Docket No.: 24-004984
Agency No.: ██████████
Petitioner: █████ █████

ADMINISTRATIVE LAW JUDGE: Ellen McLemore

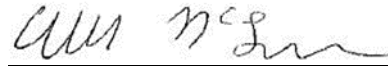
ORDER OF DISMISSAL
FOR LACK OF JURISDICTION

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37, and 7 CFR 273.15 to 273.18, 42 CFR 431.200 to 431.250, 45 CFR 99.1 to 99.33, and 45 CFR 205.10; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on January 4, 2018, from Detroit, Michigan. Petitioner was present and represented by her Authorized Hearing Representative (AHR) ██████████. The Department of Health and Human Services (Department) was represented by Daaimah Harmon, Assistance Payments Worker and Desiree Mitchell, Assistance Payments Supervisor.

In the present case, Petitioner submitted a hearing request to dispute the Department's actions regarding her Medical Assistance (MA) benefits. During the period of December █████ 2024, through January █████ 2024, Petitioner entered a long term care (LTC) facility. On February █████ 2024, Petitioner submitted an application to update her MA coverage based on her LTC status. On April █████ 2024, Petitioner submitted a request for hearing, as her LTC costs were not covered. At the hearing, the Department testified that subsequent to the request for hearing, Petitioner's MA case was reprocessed, and Petitioner was approved for MA benefits under the Extended Care (EC) MA category from December 1, 2023, through January 31, 2024. The Department presented Petitioner's MA summary to establish Petitioner's approval under the EC MA category during the period in which she was in LTC.

Per Department policy, the Michigan Office of Administrative Hearings and Rules may grant a hearing about any of the following: (i) denial of an application and/or supplemental payments; (ii) reduction in the amount of program benefits or service; (iii) suspension or termination of program benefits or service; (iv) restrictions under which benefits or services are provided; (v) delay of any action beyond standards of promptness; or (vi) for FAP only, the current level of benefits or denial of expedited service. BAM 600 (April 2018), p. 5. The Department resolved the issue for which Petitioner requested a hearing. Accordingly, there is no justiciable issue. As such, the hearing request, therefore, **DISMISSED** for lack of jurisdiction.

EM/dm



Ellen McLemore
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 Administrative Hearings and Rules.

Via-Electronic Mail :

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Via-First Class Mail :

Petitioner

[REDACTED]
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Authorized Hearing Rep.

[REDACTED]
[REDACTED]
[REDACTED]