

# Order

**Michigan Supreme Court  
Lansing, Michigan**

July 8, 2016

153356  
153370-3

Robert P. Young, Jr.,  
Chief Justice

Stephen J. Markman  
Brian K. Zahra  
Bridget M. McCormack  
David F. Viviano  
Richard H. Bernstein  
Joan L. Larsen,  
Justices

*In re* Estate of OLIVE RASMER.

---

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES,  
Plaintiff-Appellee,

v

RICHARD RASMER, Personal Representative  
of the Estate of OLIVE RASMER,  
Defendant-Appellant.

---

SC: 153356  
COA: 326642  
Bay Probate Court:  
14-049740-CZ

*In re* Estate of IRENE GORNEY.

---

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES,  
Plaintiff-Appellant,

v

ESTATE OF IRENE GORNEY,  
Defendant-Appellee.

---

SC: 153370  
COA: 323090  
Huron Probate Court:  
13-039597-CZ

*In re* Estate of WILLIAM B. FRENCH.

---

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES,  
Plaintiff-Appellant,

v

DANIEL GENE FRENCH, Personal  
Representative for the Estate of WILLIAM  
B. FRENCH,  
Defendant-Appellee.

---

SC: 153371  
COA: 323185  
Calhoun Probate Court:  
2013-000992-CZ

*In re* Estate of WILMA KETCHUM.

---

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES,

Plaintiff-Appellant,

v

ESTATE OF WILMA KETCHUM  
Defendant-Appellee.

---

SC: 153372  
COA: 323304  
Clinton Probate Court:  
14-028416-CZ

*In re* Estate of OLIVE RASMER.

---

DEPARTMENT OF HEALTH AND HUMAN  
SERVICES,

Plaintiff-Appellant,

v

RICHARD RASMER, Personal Representative  
of the Estate of OLIVE RASMER,  
Defendant-Appellee.

---

SC: 153373  
COA: 326642  
Bay Probate Court:  
14-049740-CZ

On order of the Court, the applications for leave to appeal the February 4, 2016 judgment of the Court of Appeals are considered, and they are GRANTED. The parties shall address whether and to what extent: (1) MCL 400.112g-k permit the plaintiff to seek estate recovery for medicaid services provided to an individual before that individual received notification of the estate-recovery program from the plaintiff; (2) estate recovery for such pre-notification services constitutes a violation of the individual's substantive and/or procedural due process rights; and (3) a challenge to the plaintiff's estate-recovery efforts under MCL 400.112g(4) is subject to judicial review. The total time allowed for oral argument shall be 60 minutes: 30 minutes for the plaintiff, followed by 30 minutes for the defendants. MCR 7.314(B).

Persons or groups interested in the determination of the issues presented in these cases may move the Court for permission to file briefs amicus curiae. Motions for permission to file briefs amicus curiae and briefs amicus curiae regarding these cases should be filed in *In re Estate of Olive Rasmer*, SC 153356 only and served on the parties in all cases.



d0705

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

July 8, 2016

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line.

Clerk