

STATE OF MICHIGAN
COURT OF APPEALS

MICHIGAN CHIROPRACTIC ASSOCIATION
and MICHIGAN CHIROPRACTIC SOCIETY,

Petitioners-Appellees,

v

OFFICE OF FINANCIAL AND INSURANCE
SERVICES,

Respondent,

and

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Intervenor-Appellant.

MICHIGAN CHIROPRACTIC ASSOCIATION
and MICHIGAN CHIROPRACTIC SOCIETY,

Petitioners-Appellees,

v

OFFICE OF FINANCIAL AND INSURANCE
SERVICES,

Respondent-Appellant,

and

BLUE CROSS BLUE SHIELD OF MICHIGAN,

Intervenor.

UNPUBLISHED
January 21, 2010

No. 287597
Office of Financial & Insurance
Regulation
LC No. 2005-000892

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Before: Bandstra, P.J., and Sawyer and Owens, JJ.

BANDSTRA, P.J., (*concurring*).

For the reasons stated in Section II of the lead opinion, I agree that the decision of the IHO reversing the commissioner's decision must itself be reversed. Having made that determination, we need not consider whether the IHO, pursuant to that reversal, had the statutory power to remand the matter to the commissioner. Thus, the lead opinion's discussion of the remand issue in Section I is dictum and I do not join in that part of the opinion.

/s/ Richard A. Bandstra