

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],
Claimant

Reg. No: 2008-10974
Issue No: 2009/4031
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
April 16, 2008
Ingham County DHS

ADMINISTRATIVE LAW JUDGE: Jay W. Sexton

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37, upon claimant's timely request for a hearing (MA-P/SDA). After due notice, an in-person hearing was held in Lansing on April 16, 2008. Claimant did not appear. Claimant was represented by [REDACTED]. The department was represented by Ellen Arman (FIM).

Prior to commencing the hearing, claimant's representative submitted a DHS-18A, Hearing Request Withdrawal, withdrawing her December 6, 2007 hearing request on the denial of her May 8, 2007 MA/retro/SDA application. Claimant's withdrawal was based on the approval of benefits by the Social Security Administration. A copy was provided to the department.

MAC R 400.906 provides that the department shall dismiss a request for a hearing when claimant withdraws her hearing request in writing.

Therefore, it is not necessary for the Administrative Law Judge to decide the MA-P/retro/SDA issues in dispute. Pursuant to MAC R 400.906 and 400.903, claimant's hearing request is, hereby, DISMISSED.

Further, the department is, hereby ORDERED to open claimant's MA-P and SDA cases according to the applicable policy.

/s/
Jay W. Sexton
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: February 9, 2009

Date Mailed: February 10, 2009

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

JWS/jj

cc:

