

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.: 2009-16387
Issue No.: 5000
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date:
August 19, 2009
Wayne County DHS (58)

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

ORDER DISMISSING HEARING

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was held on August 19, 2009. The Claimant appeared and testified. [REDACTED] Eligibility Specialist appeared on behalf of the Department.

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code (MAC) R 400.901-.951. Any hearing request which protests a denial, reduction, or termination of benefits must be filed within 90 days of the mailing of the negative action notice. MAC R 400.902; MAC R 400.903; MAC R 400.904.

In the present case claimant filed a request for hearing on February 5, 2009 regarding Medicaid coverage back to the date of closure September 10, 2008. The hearing request can not be considered timely as it was not filed within 90 days of the negative action notice.

Therefore this hearing is dismissed pursuant to MAC R 400.903(1). PAM 600.

/s/

Aaron McClintic
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: 08/28/09

Date Mailed: 08/31/09

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 receipt 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.

AM/jlg

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