

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: 2009-1791

Issue No: 2000

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

May 12, 2009

Macomb County DHS

ADMINISTRATIVE LAW JUDGE: Suzanne L. Keegstra

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9; and MCL 400.37; upon claimant's request for a hearing filed on September 23, 2008. After due notice, a hearing was held on May 12, 2009.

Prior to the closure of the hearing record, it was determined that the claimant's hearing request was not submitted timely. The claimant indicated she was not disputing the case closure for excess income in August, 2008. The actions the claimant was disputing occurred in late 2007, when her Medical Assistance (MA) application was denied.

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.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute.

Pursuant to MAC R 400.902; 400.903 and 400.904, claimant's hearing request is
HEREBY DISMISSED, because the claimant's hearing request was not submitted timely.

/s/

Suzanne L. Keegstra
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: May 19, 2009

Date Mailed: May 20, 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.

SLK/om

cc:

