

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: 2009-29176
Issue No: 3000
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
August 11, 2009
Kent County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

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. After due notice, a hearing was held August 11, 2009.

Prior to the closure of the hearing record it was determined that Claimant submitted a hearing request on June 16, 2009, concerning her non-cooperation status with the Office of Child Support determined on 12/29/06. Claimant had applied for Food Assistance Program (FAP) benefits on 12/1/08. Claimant's two children were determined eligible for Food Assistance Program (FAP) benefits but Claimant was not included in the benefit group due to her non-cooperation status. Claimant received notice of the most recent Food Assistance Program (FAP) determination on December 15, 2008. Program Administrative Manual (PAM) 600 clearly states that a request for hearing must be submitted within 90 days of written notice of case action. There is no jurisdiction to hear Claimant's concern.

Therefore, pursuant to MAC R 400.906 and 400.903, claimant's hearing request is HEREBY DISMISSED.

/s/

Gary F. Heisler
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: September 8, 2009

Date Mailed: September 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.

GFH 

cc:

