

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: 2009-34656
Issue No: 1005; 2006; 3008
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
October 6, 2009
Saginaw 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 August 14, 2009. After due notice, a hearing was held October 6, 2009.

Prior to the closure of the hearing record, the department agreed to reopen and reprocess the claimant's Family Independence Program (FIP), Food Assistance Program (FAP) and Medical Assistance (MA) case back to the date of closure, using the paycheck stubs submitted from the claimant. The claimant testified credibly that her employer refused to cooperate and return the DHS-38, Verification of Employment Income. The claimant testified that the employer informed her that he had submitted the Verification of Employment Income. However, the employer did not submit the documentation. However, it became quite clear during the hearing that the employer had an interest in not providing the information as he was not taking taxes out of the claimant's wages. Thus, the department agreed to use the paycheck stubs submitted by the claimant previously and those the claimant had at the hearing to budget the benefits back to the date of closure. The department agreed to issue any retroactive benefits that the claimant is entitled to receive.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.906 and 400.903, claimant's hearing request is HEREBY DISMISSED, because claimant is no longer aggrieved by a department action.

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

Date Signed: October 14, 2009

Date Mailed: October 16, 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 

cc:

