

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: 2009-36439
Issue No: 1038, 3002, 6019
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
October 21, 2009
Kent 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 July 27, 2009 and August 31, 2009. After due notice, a hearing was held October 21, 2009.

Prior to the closure of the hearing record, the department representative indicated that they were willing to accept the claimant's documentation for the FIP absence and agreed that the claimant should have retained his primary caretaker status for his children. The department representative agreed that the documentation that the claimant provided for his two days of absence for WF/JET was enough to count as good cause for his noncompliance. Thus, the claimant will have his FIP case opened back to the date of closure, will re-engage with WF/JET and will be issued any retroactive FIP benefits he is eligible to receive.

The department will return the children to the father's case, as the documentation he presented in the hearing shows that he never lost custody and remained the primary caretaker. The children will be placed back onto the claimant's FIP, FAP, CDC and MA groups back to the date that they were

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removed. Any FAP or CDC benefits that the claimant lost during the period the children were removed from his case will be issued retroactively to the claimant.

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 28, 2009

Date Mailed: October 29, 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 [REDACTED]

cc: [REDACTED]