

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: 2009-3741  
Issue No: 6046  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
October 7, 2009  
Kent County DHS

ADMINISTRATIVE LAW JUDGE: Ivona Rairigh

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 October 14, 2008. After due notice, a three way telephone hearing was held on October 7, 2009. Claimant personally appeared and testified from his home.

Claimant was mailed a Notice of Case Action on October 7, 2008, telling him that his Medicaid coverage will stop and his case is now in spend-down status due to either income increase or need decrease. Claimant requested a hearing using the back of this Notice by signing and dating the form on October 11, 2008, and Kent Co. DHS received the hearing request on October 14, 2008. Despite this being explained to the claimant several times, he kept saying that he did not request a hearing in October, 2008, but did so in May, 2009. The Administrative Law Judge attempted several times to explain to the claimant that May, 2009 hearing request had most likely not been scheduled for a hearing yet, and that the issue in this hearing is the October, 2008 hearing request. Claimant would not accept the explanation, was very argumentative, and the hearing was reduced to claimant calling the department liars, that he hoped President Obama passes the health care reform so we are all out of our

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jobs, and that he may be dead by the time May, 2009 hearing request is scheduled for the hearing. Claimant would not discuss October, 2008 action no matter how many times the Administrative Law Judge tried to do so, and/or to find out what he was objecting to. Hearing was therefore concluded as after being asked repeatedly if he had anything to say about the issue, claimant responded by being verbally abusive about the department.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.903, claimant's hearing request is HEREBY DISMISSED, because the claimant has not stated a hearable issue. SO ORDERED.

/s/ \_\_\_\_\_  
Ivona Rairigh  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: January 4, 2010

Date Mailed: January 6, 2010

**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.

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cc: 