

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: 2009-8634
Issue No: 6022
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
July 2, 2009
St. Joseph 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 November 17, 2009. After due notice, a hearing was held July 2, 2009.

Prior to the closure of the hearing record, the department and the claimant reached an agreement to pay the claimant for her CDC expenses from the period of August 11, 2008, through December 31, 2008. The claimant had submitted an application for FIP and SER. The claimant also submitted a Relative Care Provider Application and a CDC Provider Verification Form, as well as a letter referencing the claimant's CDC application. Due to DHS employee issues, the claimant's application was not processed for several months. Once it was processed, the department was unable to locate the CDC application. Thus, the claimant had not been paid her CDC costs until she re-applied for CDC in December. The department representative testified that it was possible the application had been misplaced and agreed to pay the claimant the retroactive CDC benefits for the dates of August 11, 2008 through December 31, 2008.

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: August 3, 2009

Date Mailed: August 3, 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:

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