

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: 2009-20059

Issue No: 3000

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

May 27, 2009

Jackson 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 April 16, 2009. After due notice, a hearing was held on May 27, 2009.

Department's Hearing Summary states that there is no authorization from the claimant to have Ms. Armstrong be his representative. Ms. Armstrong, claimant's case manager (social worker) at [REDACTED] signed the claimant's hearing request stating that she is indeed his representative. Claimant did not sign the hearing request. Departmental policy requires that either the claimant or his authorized hearing representative sign the hearing request. PAM 600. Department has no record of the claimant authorizing Ms. Armstrong to be his hearing representative, and the hearing request is therefore invalid.

Claimant was not present at the hearing, but was represented by his guardian. The guardian was advised that she may request a hearing on claimant's behalf. Department's representative will explain department's action to the guardian in an effort to resolve the issue. If the explanation is not satisfactory, a hearing will be scheduled in the future upon receipt of the valid hearing request.

Type Header Info

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 without prejudice. SO ORDERED.

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

Date Signed: June 10, 2009

Date Mailed: June 11, 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 60 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt 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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