

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.: 2009-36934

Issue No.: 3000

Case No.: [REDACTED]

Load No.: [REDACTED]

Hearing Date:

October 22, 2009

Oakland County DHS (4)

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

ORDER DISMISSING HEARING

This matter is before the undersigned Administrative Law Judge upon pursuant to MCL 400. 9; MCL 400.37 upon claimant's request for a hearing. After due notice a telephone hearing was held on October 22, 2009 claimant was present and testified, [REDACTED] FIM appeared for the department and testified.

The regulations governing hearing and appeals for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code. MAC R 400.901-.951. MAC R 400. 903 reads in part: An opportunity for a hearing shall be granted to an applicant who requests a hearing because his claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by a department action resulting in suspension, reduction, discontinuance, or termination of assistance.

In the present case, claimant filed a request for hearing. The department however has not currently taken a negative action or failed to act in a timely manner regarding benefits or services to the claimant. Claimant testified that the department has since provided benefits requested. At

hearing, this Administrative Law Judge advised claimant to apply for the MiCAP program and requested that the Department assist in this application.

Therefore this hearing is dismissed pursuant to MAC R 400.903(1). PAM 600.



Aaron McClintic
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: 11/02/09

Date Mailed: 11/02/09

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.

AM/jlg

cc:

