

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: 2009-5325

Issue No: 2006; 3008

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

January 28, 2009

Wayne 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 24, 2008. After due notice, a hearing was held on January 28, 2009.

Claimant requested this hearing as she objected to the department's October 21, 2008 denial of her Food Assistance Program (FAP) and Medical Assistance (MA) application.

Prior to the closure of the hearing record, the department and the claimant reached an agreement concerning the processing of the case. The claimant testified that she did receive the Verification Checklist (DHS-3503), requesting copies of her [REDACTED] federal, state and local tax returns. Claimant testified that her husband came to the local DHS office and turned in the tax returns in the mail drop box in the lobby. Claimant testified that she called and left messages for the department, to inquire if the tax returns had been received. The claimant testified that she did not receive any calls back, so she assumed the paperwork had reached the proper location.

The department representative could not confirm nor deny if the paperwork had been dropped in the lobby drop box. Nor could she confirm nor deny if the claimant had called and left messages.

When this Administrative Law Judge asked the claimant if she had the [REDACTED] tax returns with her at the hearing, she indicated that she did have copies of them, but they were in her vehicle.

Claimant agreed to obtain the needed tax returns immediately following the hearing and submit them to the department. Department will accept the verifications and re-process the claimant's FAP and MA application as of the date received, September 22, 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: February 2, 2009

Date Mailed: February 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 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.

SLK

cc:

[REDACTED]