

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201012931
Issue No.: 2000
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: September 7, 2010
Oakland County DHS (02)

ADMINISTRATIVE LAW JUDGE: Colleen Mamelka

DISMISSAL ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan on Tuesday, September 7, 2010. The Claimant did not appear however her authorized hearing representative, [REDACTED] from [REDACTED] appeared and testified. Mary Strand appeared on behalf of the Department.

The regulations governing hearings and appeals for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code ("MAC") at MAC R 400.901-.951. MAC R 400.903 provides in relevant part:

An opportunity for a hearing shall be granted to an application who requests a hearing because a claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by an agency action resulting in suspension, reduction, discontinuance, or termination of assistance. MAC R 400.903; BAM 600

In this case, the Claimant seeks a currently dated (today's date) denied Eligibility Notice. The Claimant/Representative is not contesting the denial of benefits or that the application was not acted upon with reasonable promptness. Further, the Claimant/Representative has not been aggrieved by an agency action which resulted in the suspension, discontinuance, or termination of public assistance. Accordingly, the undersigned lacks jurisdiction and the request for hearing is dismissed pursuant to MAC R 400.903(1) and Bridges Administrative Manual 600.

2010-12931/CMM

Accordingly, the Claimant's Request for Hearing is dismissed pursuant to MAC R 400.903(1) and BAM 600.

Colleen M. Mamelka

Colleen Mamelka
Administrative Law Judge
For Ismael Ahmed, Director
Department of Human Services

Date Signed: 9/14/2010

Date Mailed: 9/14/2010

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.

CMM/jlg

cc:

