

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.: 2010-2785
Issue No.: 3000
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date:
November 19, 2009
Wayne County DHS (17)

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 November 19, 2009 claimant was present and testified, [REDACTED] ES appeared for the department and testified.

ISSUE

Did the Department properly process claimant's FAP, SDA and MA benefits?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material and substantial evidence on the whole record, finds as material fact:

- (1) Claimant applied for FAP, SDA, and MA.
- (2) Claimant requested a hearing on September 21, 2009 regarding the processing of her FAP, SDA, and MA benefits.
- (3) Claimant testified at hearing that she is satisfied with the action the Department has taken with regard to her FAP benefits.

CONCLUSIONS OF LAW

The Food Assistance Program, formerly known as the Food Stamp (“FS”) program, is established by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (“CFR”). The Department of Human Services (“DHS”), formally known as the Family Independence Agency, administers the FAP program pursuant to MCL 400.10, *et seq* and MAC R 400.3001-3015. Departmental policies are found in the Program Administrative Manual (“PAM”), the Program Eligibility Manual (“PEM”), and the Program Reference Manual (“PRM”).

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 she is satisfied with the action the department has taken with regard to her FAP benefits. Claimant had requested hearing with regard to her SDA and MA application also. A denial of claimant’s applications for SDA and Medicaid by the Medical Review Team was sent to claimant on November 17, 2009, two days prior to this hearing. Claimant has not appealed that decision therefore those issues are not ripe to be addressed as part of this hearing.

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: 12/09/09

Date Mailed: 12/09/09

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:

