

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: 201045327

Issue No: 2000

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

August 26, 2010

Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Robert J. Chavez

ORDER OF DISMISSAL

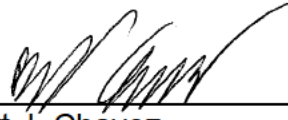
This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon claimant's request for a hearing. After due notice, a hearing was held on August 26, 2010.

Prior to the close of the hearing record, the Administrative Law Judge was advised by the Department representative that claimant's Medicaid application was being processed. There is no negative action in the current case, and the Department is still within the standards of promptness for Medicaid processing.

BAM 600 requires a negative action to request an administrative hearing. After reviewing the claimant's case file, the Administrative Law Judge has determined that there is no negative action in the current case.

Therefore, the Administrative Law Judge is unable to decide the matter that is in dispute, as there is no negative action in the case at hand, and there must be a negative action to establish jurisdiction in an administrative hearing. Pursuant to MAC R

400.906 and 400.903, claimant's hearing request is HEREBY DISMISSED, because the Administrative Law Judge has no jurisdiction to decide the matter at hand.



Robert J. Chavez
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: 09/07/10

Date Mailed: 09/08/10

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.

RJC/dj

cc:

