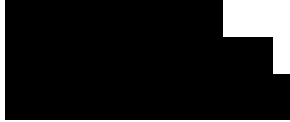

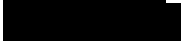


STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2010-11253
Issue No.: 6000
Case No.: 
Load No.: 
Hearing Date: August 16, 2010
Wayne County DHS (57)

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

ORDER OF DISMISSAL

The request for hearing on the issue of the Department of Human Services denial of the Child Development and Care Program (CDC) Provider application has been received by the State Office of Administrative Hearings and Rules, (SOAHR) Administrative Hearings.

A CDC provider applicant whose enrollment is denied or **CDC providers** whose enrollment is terminated or otherwise not cannot be certified as a provider may request an administrative review through the Department of Human Services. Administrative reviews are completed by the Department of Human Services Central Office staff. Instructions on the DHS 759, instructs CDC provider applicants to send all administrative review documentation to the Department of Human Services Central office, Lansing, Michigan.

According to Administrative Rule 409.903 SOHAR may only grant a hearing if an applicant's claim for assistance is denied or is not acted upon within reasonable promptness or if a recipient is aggrieved by an agency action resulting in the suspension, reduction, discontinuance, or termination of assistance.

The Claimant in her request for hearing has not alleged the Department Of Human Services has taken a negative action toward the claimant's application for CDC benefits nor alleged a negative action for the claimant's receipt of CDC benefits. Instead in the claimant's request for hearing challenges the disqualification of the CDC provider certification.

Therefore, SOAHR has no jurisdiction to hear this matter.

201011253/LMF

IT IS HEREBY ORDERED THAT:

The above matter is DISMISSED.



Lynn M. Ferris
Administrative Law Judge
For Ismael Ahmed, Director
Department of Human Services

Date Signed: 8/17/2010

Date Mailed: 8/17/2010

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.

LMF/jlg

cc:

