

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: 2010-28038
Issue No: 3008; 6015
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
[May 10, 2010](#)
Washtenaw County DHS

ADMINISTRATIVE LAW JUDGE: Susanne. E. Harris

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge (ALJ) by authority of MCL 400.9; and MCL 400.37; upon the claimant's request for a hearing filed on February 18, 2010. After due notice, a telephone hearing was held on May 10, 2010. The claimant personally appeared and testified.

Prior to the closure of the hearing record, the claimant testified that she was only protesting the negative action on her Medical Assistance (MA) case, as her dispute regarding the Child Development and Care (CDC) was no longer an issue as she is unemployed, and the department has already adjusted her Food Assistance Program (FAP) benefits. During the course of the hearing this ALJ asked whether or not the claimant had applied for MA on the application at issue and the department's worker testified that she had not. This ALJ had the department's worker fax the application and it indicates that the claimant only applied for CDC and FAP assistance. The claimant testified that she had a negative action regarding her MA case on March 12, 2010, subsequent to the hearing request that she submitted for this hearing.

The claimant testified that she is no longer protesting her FAP and CDC issues and, as the claimant's negative action regarding her MA case did not occur until after she submitted this hearing request, this ALJ has no jurisdiction to hear that issue.

Therefore, it is not necessary for the ALJ to decide the matter that was in dispute, as the claimant is no longer protesting those negative actions. Pursuant to MAC R 400.906 and 400.903, the claimant's hearing request is **HEREBY DISMISSED**.

/s/ _____
Susanne E. Harris
Administrative Law Judge
for Ahmed Ishmael, Director
Department of Human Services

Date Signed: July 15, 2010

Date Mailed: July 15, 2010

NOTICE: The law provides that within 30 days of receipt of the above Decision and Order the claimant may appeal it to the circuit court for the county in which he/she lives. Administrative Hearings, on its own motion, or on request of a party within 30 days of the receipt of this Decision and Order, may order a rehearing. Administrative Hearings will not order a rehearing on the agency's motion where the final decision or rehearing cannot be implemented within 90 days of the filing of the original hearing request.

SEH/tg

cc:

