

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.: 2010-49035
Issue No.: 2026
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: November 10, 2010
Macomb County DHS (20)

ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris

ORDER OF DISMISSAL

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 10, 2010 and claimant appeared and testified. The Department was represented by [REDACTED]. AP ES.

The regulations governing hearing and appeals for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code. MAC R 400.901-.951. MAC R 400. 903 reads in part: An opportunity for a hearing shall be granted to an applicant who requests a hearing because his/her claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by a department action resulting in suspension, reduction, discontinuance, or termination of assistance.

In the present case claimant filed a request for hearing. The department however has not currently taken a negative action. During the hearing the Department agreed that the Claimant was eligible for the AD Care Medical Program and retroactively instituted coverage and benefits for that program retroactive to the Application date of April 12, 2010. Given these circumstances the Department has not failed to act regarding benefits or services to the claimant. The Department advised through it representative that the Department has found the Claimant eligible and as of the date of the hearing has provided the benefits as requested. This Administrative Law Judge is not required to act further or make any determination of this matter as the issue has been resolved.

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Therefore this hearing is dismissed pursuant to MAC R 400.903(1). BAM 600.



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

Date Signed: 11/10/2010

Date Mailed: 11/10/2010

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:

