

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

IN THE MATTER OF:



Reg. No.: 2010-55546
Issue No.: 3000
Case No.: [REDACTED]
Hearing Date: December 15, 2010
DHS County: Oakland (63-02)

ADMINISTRATIVE LAW JUDGE: Jonathan W. Owens

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, an in-person hearing was held on December 15, 2010. Claimant appeared and testified.

Under Program Administrative Manual Item 600, clients have the right to contest any Department of Human Services (Department) decision affecting eligibility or benefit levels whenever they believe the decision is illegal. The Department provides an Administrative Hearing to review the decision and determine if it is appropriate. Department policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when the Department receives a hearing request and continue through the day of the hearing.

In the present case, on August 4, 2010, Claimant requested a hearing protesting his Food Assistance Program (FAP) benefit reduction. During the hearing, the Department agreed to reprocess Claimant's FAP budget back to the date of change, July 1, 2010, and specifically check to make sure all expenses reported at the time of the original budget were used. In addition, the Department will make sure any Medicare premiums are included in the FAP budget. Claimant agreed to this action being taken by the Department.

Since the Department and Claimant have reached an agreement, there is nothing for this Administrative Law Judge to consider. Therefore, this case is DISMISSED.



Jonathan W. Owens
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: December 16, 2010

Date Mailed: December 20, 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 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.

JWO/pf

cc:

