

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: 2010-7584

Issue No: 3008

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

February 10, 2010

Cass County DHS

ADMINISTRATIVE LAW JUDGE: Marya A. Nelson-Davis

HEARING DECISION

The law, MCL 24.278(2); MSA 3.560(178)(2) provides that a disposition may be made of a contested case hearing by stipulation or agreed settlement. In this case, Claimant filed a hearing request, protesting the denial of Adult Medical Program (AMP) and Food Assistance Program (FAP) benefits. During the hearing, Claimant withdrew his hearing request protesting the denial of AMP benefits due to the program being closed to new enrollments. Claimant was denied FAP benefits due to a failure to provide verification that he was a resident of [REDACTED]

After denying Claimant's FAP application, the Department determined that Claimant is eligible for FAP benefits beginning November 24, 2009. On the day of the administrative hearing, the Department agreed to continue processing Claimant's September 24, 2009 FAP application and determine whether Claimant is eligible for FAP

benefits for the period prior to November 24, 2009, in accordance with the applicable law and policy.

Claimant retains a right to request a hearing on the above FAP eligibility determination as long as he does so within 90 days from the date of the department's written notice, pursuant to PAM Item 600.

Accordingly, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.906 and 400.903, Claimant's hearing request is HEREBY DISMISSED, because he is no longer aggrieved by the Department's action.

DECISION AND ORDER

The Administrative Law Judge based on the agreed upon settlement ORDERS that Claimant's hearing request is DISMISSED; and the department shall initiate a determination of whether Claimant is eligible for FAP benefits prior to November 24, 2009, based on an application date of September 24, 2009. This determination shall be in accordance with the applicable law and policy.

/s/
Marya A. Nelson-Davis
Administrative Law Judge
for Ishmeal Ahmed, Director
Department of Human Services

Date Signed March 29, 2010

Date Mailed March 30, 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.

MAND/db

cc:

