

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],
Respondent

Reg. No.: 2010-8600
Issue No.: 6052
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date:
May 19, 2010
Wayne County DHS (57)

ADMINISTRATIVE LAW JUDGE: Jan Leventer

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to Michigan Compiled Laws (MCL) 400.9 and 400.37, and the Department of Human Services' (DHS) request for a disqualification hearing. Notice to Respondent was returned as undeliverable on April 29, 2010. A telephone hearing was conducted from Detroit, Michigan, on May 19, 2010. Respondent did not appear. [REDACTED]

[REDACTED], appeared and testified on behalf of DHS.

DISMISSAL AND ORDER

DHS requested an Intentional Program Violation hearing for Child Development and Care benefits which Respondent received. However, administrative rules relating to the Family Independence Program, of which Child Development and Care is a part, do not authorize an Intentional Program Violation Disqualification hearing if the Notice of Hearing is returned by the post office as undeliverable. Michigan Administrative Code Rule 400.3130(5).

Accordingly, DHS' request for a disqualification hearing for Child Development and Care overissuances is DISMISSED WITHOUT PREJUDICE.



Jan Leventer
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: June 1, 2010

Date Mailed: June 2, 2010

NOTICE: The law provides that within 30 days of receipt of the above Decision and Order, the respondent may appeal it to the circuit court for the county in which he/she lives.

JL/pf

cc:

