

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-34290
Issue No: 6000

[REDACTED]

[REDACTED]

Genesee County DHS

ADMINISTRATIVE LAW JUDGE: Suzanne L. Morris

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9; and MCL 400.37 upon claimant's request for a hearing filed on May 6, 2011. After due notice, a hearing was held June 22, 2011.

Prior to the closure of the hearing record, it was determined that the claimant's request for hearing was untimely. The claimant indicated that her CDC provider had been disapproved several times in 2010 (most recently in approximately August, 2010).

The regulations regarding the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Administrative Code (MAC) R 400.901 -.951. Any hearing request which protests a denial, reduction or termination of benefits must be filed within 90 days of the mailing of the negative action notice. MAC R 400.902; MAC R 400.903; MAC R 400.904.

In this case, the claimant's hearing request was not submitted within 90 days of any negative action. The claimant was advised to submit a new CDC application to allow the department to determine current eligibility.

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to MAC R 400.902; 400.903 and 400.904, claimant's hearing request is HEREBY DISMISSED, because the claimant's hearing request was not submitted timely.

_____/s/_____
Suzanne L. Morris
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: 6/23/11

Date Mailed: 6/23/11

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.

SM/ds

■ [REDACTED]