

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-38884
Issue No: 1000, 1038

[REDACTED]

Kent County DHS

ADMINISTRATIVE LAW JUDGE: C. Adam Purnell

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 June 16, 2010. After due notice, a hearing was held August 9, 2011.

Prior to the closure of the hearing record, it was determined that Claimant's request for hearing was untimely. On January 12, 2011, the Department of Human Services ("department") closed Claimant's Family Independence Program (FIP) benefits for noncompliance with Work First/Jobs, Education and Training (WF/JET) requirements. Claimant requested a telephone hearing on January 18, 2011. The Michigan Administrative Hearings System (MAHS) scheduled a hearing for May 18, 2011 (Register #201119396) but Claimant failed to appear for her telephone hearing. Claimant alleged that she left a message with the department in an attempt to explain why she was unable to attend her hearing, but that she did not receive a return call. Claimant did not contact MAHS. Because Claimant failed to appear for her hearing, MAHS sent Claimant an Order of Dismissal on May 19, 2011. The instant matter involves Claimant's second request for a hearing regarding the same issue; the department's closure of her FIP dated January 12, 2011. Claimant's instant request for hearing on June 16, 2011 took place more than 90 days after the department mailed the notice of negative action on January 12, 2011.

The regulations regarding the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code (MAC) R 400.901 through 400.951. 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.

