

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201153472
Issue No.: 6019, 6027
Case No.: [REDACTED]
Hearing Date: November 8, 2011
County: Wayne County DHS #55

ADMINISTRATIVE LAW JUDGE: Corey A. Arendt

CONSENT ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on November 8, 2011, in Lansing, Michigan. Participants on behalf of Claimant included [REDACTED]. Participants on behalf of the Department of Human Services (Department) included [REDACTED].

The Michigan Administrative Code R 400.903(1) provides as follows:

An opportunity for a hearing shall be granted to an applicant who requests a hearing because his claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by an agency action resulting in suspension, reduction, discontinuance, or termination of assistance.

In this case, the Claimant applied for Child Developmental Care (CDC) benefits on January 6, 2011. The Department failed to address the January 6, 2011 application in a timely manner resulting in the Claimant filing a request for hearing.

Shortly after commencement of the hearing, the Department indicated they would initiate a redetermination regarding the Claimant's eligibility for CDC benefits beginning January 6, 2011 and issue retroactive benefits to the Provider if otherwise qualified and eligible. The Department also agreed to provide the Provider with the opportunity to participate in Great Start Training and if completed, back date the completed training to January 6, 2011 as the Provider was never provided the opportunity to participate in a timely manner. Claimant testified she was satisfied with this arrangement and indicated no other issue was in dispute. Therefore, it is not necessary for me to decide the matter on the merits.

Because of this settlement on the record, I ORDER the Department to:

1. Initiate a redetermination of the Claimant's eligibility for CDC benefits beginning January 6, 2011 and to issue retroactive benefits if otherwise eligible and qualified.
2. Provide the Provider with the opportunity to participate in Great Start Training and back date the completed participation to January 6, 2011 to allow proper payment to the Provider if otherwise eligible and qualified.

Further, in accordance with 1999 AC, R 400.906 and R 400.903, Claimant's hearing request is hereby **DISMISSED**, because there is no longer any issue in dispute regarding his FAP benefits case.

It is SO ORDERED.

/s/ _____
Corey A. Arendt
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: November 10, 2011

Date Mailed: November 14, 2011

NOTICE: Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
- misapplication of manual policy or law in the hearing decision,
- typographical errors, mathematical error , or other obvious errors in the hearing decision that effect the substantial rights of the claimant;
- the failure of the ALJ to address other relevant issues in the hearing decision

2011-53472/CAA

Request must be submitted through the local DHS office or directly to MAHS by mail at

Michigan Administrative Hearings
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-07322

CAA/cr

cc:

