

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-36105
Issue No: 2000, 3000

[REDACTED]

[REDACTED]

Wayne County DHS-District #31
(Grandmont)

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 May 16, 2011. After due notice, a hearing was held on August 16, 2011. Claimant appeared via telephone and provided testimony.

Prior to the closure of the hearing record, the parties have reached an agreement to resolve this matter. Claimant requested a hearing concerning her Food Assistance Program (FAP) benefits and her Medical Assistance (MA) or Medicaid benefits. Claimant did not dispute the department's calculation of FAP benefits or the amount of FAP allotment, but she requested a hearing because she was dissatisfied with the manner in which her DHS caseworker handled her FAP case. Claimant requested a hearing concerning her MA benefits relating to a child support noncooperation notice that caused the department to close her MA case. In July, 2011, the department removed the Claimant's child support noncooperation sanction after Claimant provided the child support office with requested information concerning the putative father. Now that the child support noncooperation notice has been lifted, Claimant has agreed to reapply for MA benefits. The department shall process Claimant's application for MA benefits provided she is otherwise eligible. Claimant's request for a hearing concerning her MA case was due to her dissatisfaction with her assigned caseworker from the Office of Child Support. Despite the apparent communication issues, Claimant has agreed that no negative action had been taken by the department relative to Claimant's MA benefits.

MAC 400.903 lays out instances where recipients of assistance have a right to an administrative hearing within the Michigan DHS. This rule specifies when an opportunity for a hearing shall be granted:

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. MAC 400.903(1).

Claimant acknowledged the above stipulation and expressed satisfaction with the terms of the agreement. Accordingly, Claimant indicated that she no longer believed it was necessary to continue with the hearing in this matter. Because the parties have mutually reached an agreement to resolve this matter, there is no longer a pending dispute for the Administrative Law Judge to decide.

Pursuant to Mich Admin Code R 400.906 and R 400.903 and consistent with the above agreement of the parties, Claimant's hearing request is DISMISSED because Claimant is no longer aggrieved by a department action.

_____/s/_____
C. Adam Purnell
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: 8/23/11

Date Mailed: 8/23/11

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.

CAP/ds

