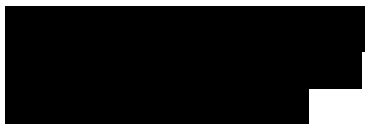



STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2011-37303  
Issue No.: 1000; 3000  
Case No.:   
Hearing Date: August 11, 2011  
Wayne County DHS

**ADMINISTRATIVE LAW JUDGE:** Susan C. Burke

**ORDER OF DISMISSAL**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, MCL 400.37, and upon Claimant's request for a hearing. After due notice, a telephone hearing was held on August 11, 2011 in Detroit, Michigan. Claimant appeared and testified. The Department of Human Services (Department or DHS) was represented by K. McKeown-Orton and M. Treaowick.

The Bridges Administrative Manual (BAM) 600, p. 4, instructs:

The client or authorized hearing representative has 90 calendar days from the date of the written notice of case action to request a hearing. The request must be received anywhere in DHS within the 90 days.

In the present case, Claimant filed a request for hearing on June 3, 2011, protesting the amount of Food Assistance Program (FAP) benefits for the period of August 2010 through November 2010. However, Claimant's request for hearing of June 3, 2011, was not within ninety days of the disputed action taken by the Department.

It is also noted that Claimant at the hearing indicated that she no longer was protesting the amount of past Family Independence Program (FIP) benefits, nor was she protesting the amount of current benefits for either FIP or FAP. The Michigan Administrative Code. MAC R 400.901-.951. MAC R 400. 903 reads in part:

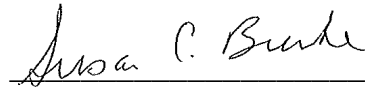
An opportunity for a hearing shall be granted to an applicant who requests a hearing because his claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by a Department of

201137303/SB

Human Services (department) action resulting in suspension, reduction, discontinuance, or termination of assistance.

Per Claimant's statement at the hearing, Claimant is no longer aggrieved by the Department's decision with regard to all FIP and current FAP benefits.

Based on the above discussion, it is ORDERED that this matter is DISMISSED pursuant to BAM 600 and MAC R 400.901-.951. MAC R 400. 903



Susan C. Burke  
Administrative Law Judge  
For Maura Corrigan Director  
Department of Human Services

Date Signed: 8/16/11

Date Mailed: 8/16/11

**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.

SB/sm

cc:

