

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

IN THE MATTER OF:



Reg. No: 2011-40835
Issue No: 2000, 3000



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 June 8, 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 his Food Assistance Program (FAP) benefits and Medical Assistance (MA) or Medicaid benefits after the department closed his MA benefits on May 20, 2011 for failure to return redetermination forms. During the hearing, Claimant acknowledged that the department did not take any action that affected his FAP benefits. Following the MA closure, Claimant reapplied for MA benefits on June 30, 2011. Based on his new application, the department promptly processed the application and then provided Claimant with MA benefits. Claimant has agreed that no negative action had been taken by the department relative to Claimant's FAP and the issue concerning his MA benefits is now moot.

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 he 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

■ [REDACTED]