

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

IN THE MATTER OF:

[REDACTED]

[REDACTED] [REDACTED]  
Washtenaw 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 July 12, 2011. After due notice, a hearing was held on September 6, 2011. Claimant appeared via telephone and provided testimony.

Claimant is requesting a hearing before the department took any negative action affecting her benefits or eligibility for benefits. Claimant was found to have shown no good cause for her failure to participate in Work First/Jobs, Education and Training (WF/JET) program activities. Claimant's request for hearing specifically indicates that she wanted to stop the closing of her FIP benefits. At the time this hearing request was submitted, no negative action had been taken by the department on Claimant's Family Independence Program (FIP) benefits or any other 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).

At the time of the claimant's hearing request, the department had not taken any action to suspend, reduce, discontinue or terminate the claimant's FIP benefits. Under the administrative rule discussed above, claimant does not have a right to a hearing and thus, this Administrative Law Judge has no jurisdiction in this matter.

Claimant's hearing request is HEREBY DISMISSED for lack of jurisdiction.

It is SO ORDERED.

/s/

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

Date Signed: 9/12/11

Date Mailed: 9/12/11

**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 receipt 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]