

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-4589
Issue No.: 3012
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: December 6, 2010
DHS County: Wayne (43)

ADMINISTRATIVE LAW JUDGE: Susan C. Burke

ORDER DISMISSING HEARING

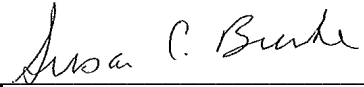
This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, MCL 400.37, and upon Claimant's request for a hearing. After due notice, a telephone hearing was held on December 6, 2010. Claimant appeared and testified.

The regulations governing hearings and appeals for applicants and recipients of public assistance in Michigan are found in 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 Human Services [department] action resulting in suspension, reduction, discontinuance, or termination of assistance.

In the present case, Claimant filed a request for hearing. The Department, however, has not currently taken a negative action or failed to act in a timely manner regarding benefits or services to Claimant. Claimant does not dispute that the Department has since provided benefits requested. Claimant did not present in his request for hearing or in his testimony a clear argument as to the Department's action or inaction, although

he does mention that no one accommodates him. However, this Administrative Law Judge has no jurisdiction over such matters as complaints of the professionalism of Department personnel. Therefore, this hearing is dismissed pursuant to MAC R 400.903(1). BAM 600.



Susan C. Burke
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: December 8, 2010

Date Mailed: December 9, 2010

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 60 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.

SCB/pf

cc:

