

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

IN THE MATTER OF:



Reg. No.: 2011-53440
Issue No.: 2009
Case No.: [REDACTED]
Hearing Date: December 13, 2011
County: Wayne-31

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

**ORDER OF DISMISSAL
FOR LACK OF JURISDICTION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on December 13, 2011. Claimant personally appeared and provided testimony.

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code, Mich Admin Code, Rules 400.901 - .951. An opportunity for a hearing shall be granted to an applicant who requests a hearing because a claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by a Department action resulting in suspension, reduction, discontinuance, or termination of assistance. Mich Admin Code, Rule 400.903(1). A request for hearing shall be in writing and signed by the claimant, petitioner, or authorized representative. Mich Admin Code, Rule 400.904(1).

The Bridges Administrative Manual (BAM) 600, p. 4, provides in relevant part as follows:

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, on March 7, 2011, the Department notified Claimant his application for Medicaid was denied.

On September 12, 2011, Claimant filed a request for a hearing concerning the Department's action. Because Claimant's request for hearing was not within ninety days of the disputed action taken by the Department, this request for hearing must be dismissed for lack of jurisdiction.

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During the hearing, Claimant admitted he moved to his current address in July 2011, but did not notify the department of his new address until he filed his hearing request on September 12, 2011.

Based on the above discussion, it is ORDERED that this Request for Hearing is DISMISSED.

/S/

Vicki L. Armstrong
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: 12/14/11

Date Mailed: 12/14/11

VLA/ds

