

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2012-17617
Issue No: 3000
Case No: [REDACTED]
Hearing Date: February 28, 2012
County: Oakland 02

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 November 28, 2011. Claimant requested a hearing because the Department reduced her Food Assistance Program (FAP) monthly allotment from [REDACTED] to [REDACTED] in 2009. However, since March, 2009, Claimant had received [REDACTED] in FAP per month continuously without interruption. After due notice, a hearing was held on February 28, 2012. Claimant personally appeared and provided testimony. Participants on behalf of Department of Human Services (Department) included Leticia Moxley (Assistance Payments Supervisor).

Prior to the closure of the hearing record, it was determined that Claimant's request for hearing was untimely. Claimant indicated that her reason for requesting a hearing is because she wanted an explanation as to why the Department reduced her FAP benefits back in 2009. Claimant also indicated that during the period of time in 2009 when her FAP was decreased, she endured serious hardship. There was no indication that Claimant had a dispute with any Department action following February, 2009.

The regulations regarding the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Administrative Code (MAC) R 400.901 -.951. Any hearing request which protests a denial, reduction or termination of benefits must be filed within 90 days of the mailing of the negative action notice. MAC R 400.902; MAC R 400.903; MAC R 400.904. Here there is no dispute that Claimant did not request a hearing within 90 days of the mailing of any negative action pertaining to her FAP benefits.

