

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-50660
Issue No.: 1000
Case No.: [REDACTED]
Hearing Date: June 4, 2012
County: Wayne (76)

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

CONSENT ORDER OF DISMISSAL

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 June 4, 2012, from Detroit, Michigan. Participants on behalf of Claimant included the Claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED] Family Independence Specialist, and [REDACTED] Family Independence Manager.

The Michigan Administrative Code R 400.903(1) provides as follows:

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.

In this case, on June 1, 2012, the Department


- denied Claimant's application for benefits
- closed Claimant's case for benefits
- reduced Claimant's benefits

for:

- Family Independence Program (FIP).
- Food Assistance Program (FAP).
- Medical Assistance (MA). Interim Medicaid
- State Emergency Services (SER).
- Adult Medical Assistance (AMP).
- State Disability Assistance (SDA).
- Child Development and Care (CDC).

Claimant requested a hearing to dispute the Department's action. Shortly after commencement of the hearing, the Department testified that Claimant's FIP case had been reinstated effective June 1, 2012, based on the Department's receipt of a Medical Needs form (DHS 54-A) from Claimant establishing her deferential from participation in employment-related activities in connection with her FIP case. Claimant verified that she had been notified that her FIP case had been reinstated and that the FIP sanction was being removed from her case file. She confirmed that, with the reinstatement of her FIP case, she would receive ongoing, uninterrupted FIP benefits. She further testified that she was satisfied with the resolution of her case and no longer wished to proceed with a hearing. The Department agreed to the dismissal of Claimant's hearing request. Pursuant to Mich Admin Code R 400.906(1), Claimant's hearing request is hereby DISMISSED.

Based on the above discussion, it is ORDERED that this matter is DISMISSED pursuant to Mich Admin Code R 400.906(1).


Alice C. Elkin
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: June 5, 2012

Date Mailed: June 5, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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. (60 days for FAP cases)

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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

2012-50660/ACE

Request must be submitted through the local DHS office or directly to MAHS by mail at
Michigan Administrative Hearings
Re consideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

ACE/cl

cc:

