

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-7205
Issue No.: 2000; 3000; 5000
Case No.: [REDACTED]
Hearing Date: December 14, 2011
County: Wayne (15)

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 December 14, 2011, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED]


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.

On October 19, 2011, Claimant filed a request for a hearing to dispute the Department's action with respect to her rent, utilities, Medical Assistance (MA) benefits, and Food Assistance Program (FAP) benefits. Shortly after commencement of the hearing, Claimant testified that she was satisfied with the Department's actions with respect to her MA and FAP benefits. While she had some concerns related to her utilities, she admitted that she requested State Emergency Relief (SER) assistance in November 2011, and the Department had taken action on that request after she filed her October 19, 2011, request for a hearing. Claimant was advised that she should request a separate hearing with respect to the Department's action that took place after her October 19, 2011, request for hearing. Because she expressed concerns about the Department's closure of her Family Independence Program (FIP) case that were not

raised in her current hearing request, she was also advised that she had to file a request for a hearing concerning the closure of her FIP case if she wished to have a hearing on that matter. Based on these facts, Claimant testified that she did not wish to proceed with the current hearing. The Department agreed to the dismissal of Claimant's hearing request. Pursuant to MAC 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 MAC R 400.906(1).



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

Date Signed: December 20, 2011

Date Mailed: December 20, 2011

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.

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

2012-7205/ACE

ACE/cl

cc:

[REDACTED]