

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING REVIEW
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No: 201214997
Issue No: 5008
[Redacted] [Redacted]
Hearing Date: February 2, 2012
Genesee County DHS

ADMINISTRATIVE LAW JUDGE: Corey A. Arendt

HEARING DECISION

This matter is before me pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing. After due notice, a telephone hearing was held on February 2, 2012. Claimant and Department appeared by telephone and provided testimony.

ISSUE

Whether the department properly denied Claimant's State Emergency Relief (SER) application?

FINDINGS OF FACT

I find as material fact, based upon the competent, material and substantial evidence on the whole record:

1. On October 4, 2011, the Claimant applied for State Emergency Relief (SER) assistance.
2. On October 26, 2011, the Department sent the Claimant a State Emergency Decision Notice. The State Emergency Decision Notice indicated the Claimant's October 4, 2011 request was denied as his copayment was equal to or greater than the amount needed to resolve the emergency.
3. On November 1, 2011, the Claimant filed with the Department a request for hearing.

CONCLUSIONS OF LAW

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code, MAC R 400.901-400.951. An opportunity for a hearing shall be granted to an applicant who requests a hearing because his claim for assistance is denied. MAC R 400.903(1). An

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 90 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.

CAA/cr

cc:

