

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201334256
Issue No.: 1021, 3019
Case No.: [REDACTED]
Hearing Date: May 1, 2013
County: Calhoun (21)

ADMINISTRATIVE LAW JUDGE: C. Adam Purnell

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 May 1, 2013 from Lansing, Michigan. Claimant personally appeared and provided testimony. Participants on behalf of the Department of Human Services (Department) included [REDACTED] (Recoupment Specialist) and [REDACTED] of the Office of Inspector General (OIG).

On August 28, 2012, Claimant signed an Intentional Program Violation (IPV) Repayment Agreement (DHS-4350), Request for Waiver of Disqualification Hearing (DHS-826) and Disqualification Consent Agreement. Claimant's signature reflects that she agreed to Food Assistance Program (FAP) and Family Independence Program (FIP) IPV-based overissuance and disqualification. According to BAM 720 p. 12, the IPV investigation disposition is completed for purposes of FIP and FAP when a DHS-826 and DHS-4350 is obtained from the client. On March 8, 2013, the Department received Claimant's request for hearing regarding FIP and FAP which was submitted on a DHS-4357 form, which is used to request a hearing concerning a Department's decision to pursue an intentional program violation (IPV) investigation and potential program disqualification. Because Respondent has signed the above documents, this Administrative Law Judge lacks jurisdiction to hear this matter.

Accordingly, the request for hearing is **DISMISSED**.

IT IS SO ORDERED.

/s/
C. Adam Purnell
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: May 6, 2013

Date Mailed: May 6, 2013

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

CAP/aca

cc:

