

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-34873
Issue No.: 1038
Case No.: [REDACTED]
Hearing Date: April 11, 2013
County: Macomb County DHS #36

ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie

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 Thursday, April 11, 2013, in Lansing, Michigan. Participants on behalf of Claimant include the claimant. Participants on behalf of the Department of Human Services (Department) include [REDACTED] APS.

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 October 23, 2012, the Department

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

for:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Family Independence Program (FIP). | <input type="checkbox"/> Adult Medical Assistance (AMP). |
| <input type="checkbox"/> Food Assistance Program (FAP). | <input type="checkbox"/> State Disability Assistance (SDA). |
| <input type="checkbox"/> Medical Assistance (MA). | <input type="checkbox"/> Child Development and Care (CDC). |
| <input type="checkbox"/> State Emergency Services (SER). | |

Claimant requested a hearing to dispute the Department's action. During the hearing, a determination was made that this hearing was not about her application filed on February 20, 2013, but rather about her 3rd FIP Sanction and notification of October 23, 2012. The claimant had reported that her address had changed, but it

was not changed on the system. As a result, she did not get a copy of the notice sent to the department on October 23, 2012. This hearing request will serve as that request and the hearing request will be deemed timely. The hearing will be adjourned and rescheduled with the Macomb DHS Warren office who did the case action. The Department and the claimant agreed to the dismissal of this hearing. 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).

/s/

Carmen G. Fahie
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: April 15, 2013

Date Mailed: April 15, 2013

NOTICE: 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

CGF/hj

cc:

