

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 15-005349
Issue No.: 3005, 3000
Case No.: [REDACTED]
Hearing Date: June 11, 2015
County: Genesee (6) Clio Rd

ADMINISTRATIVE LAW JUDGE: Colleen Lack

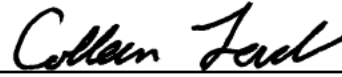
ORDER OF DISMISSAL

Upon the request for a hearing by the Department of Health and Human Services (Department), this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, and in accordance with Titles 7, 42 and 45 of the Code of Federal Regulation (CFR), particularly 7 CFR 273.16 and 45 CFR 235.110; and with Mich Admin Code, R 400.3130 and 400.3178. After due notice, telephone hearing was held on June 11, 2015, from Lansing, Michigan. The Department was represented by [REDACTED] Regulation Agent of the Office of Inspector General (OIG).

Respondent did not appear at the hearing and it was held in Respondent's absence pursuant to 7 CFR 273.16(e), Mich Admin Code R 400.3130(5), or Mich Admin Code R 400.3178(5).

This hearing was scheduled based on the Department's April 13, 2015, request for hearing. Shortly after the hearing proceedings commenced, the OIG Regulation Agent notified this Administrative Law Judge that the address used for issuing the Notice of Hearing for Intentional Program Violation Notice of Disqualification Hearing (Notice), and Hearing Summary to Respondent was an older address, rather than the most recent address. Therefore, the Notice was not mailed to the Respondent's correct address. The OIG Regulation Agent requested a dismissal. Due to the defective notice, the hearing must be dismissed. The Department may re-file the request for hearing with the Respondent's current address.

Therefore, the Department's April 13, 2015, request for hearing is **DISMISSED**.



Colleen Lack
Administrative Law Judge
for Nick Lyon, Director
Department of Health and Human Services

Date Mailed: **6/11/2015**

CL / jaf

NOTICE: The law provides that within 30 days of receipt of the above Hearing Decision, the Respondent may appeal it to the circuit court for the county in which he/she lives or the circuit court in Ingham County. A copy of the claim or application for appeal must be filed with the Michigan Administrative Hearing System (MAHS).

cc:

