

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

IN THE MATTER OF:

[REDACTED]

MAHS Reg. No.: 15-009514
Issue No.: 3000
DHHS Case No.: [REDACTED]
Hearing Date: July 23, 2015
County: Kalamazoo

ADMINISTRATIVE LAW JUDGE: Gary Heisler

ORDER OF DISMISSAL – NO ADJUDICABLE ISSUE

Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37, and 7 CFR 273.15 to 273.18, 42 CFR 431.200 to 431.250, 45 CFR 99.1 to 99.33, and 45 CFR 205.10. After due notice, a telephone hearing was held on July 23, 2015, from Lansing, Michigan. Participants on behalf of Claimant included herself. Participants on behalf of the Department of Health and Human Services (Department) included Hearing Facilitator [REDACTED]

Regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in Mich Admin Code, R 400.901 through R 400.951. Rule 400.903(1) provides as follows:

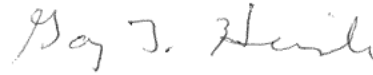
An opportunity for a hearing shall be granted to an applicant who requests a hearing because [a] claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by a Department action resulting in suspension, reduction, discontinuance, or termination of assistance.

In the present case, the Department sent Claimant a Notice of Case Action (DHS-1605) on June 1, 2015, closing Claimant's Food Assistance Program (FAP) on July 1, 2015. The closure was initiated by a verbal request from Claimant to close her FAP. On June 8, 2015, the Department received a hearing request Claimant had signed on June 5, 2015, asserting the amount of Social Security Administration (SSA) benefits she receives is incorrect.

The Department properly closed Claimant's FAP in response to her verbal request of closure. It is noted that Claimant subsequently applied for FAP benefits again on July 2, 2015, and has been approved for benefits in an amount that reflects the SSA benefit issue she raised.

On June 8, 2015, Claimant did not have an active, ongoing FAP case. Therefore, Claimant's June 8, 2015, hearing request is **DISMISSED** for lack of jurisdiction.

IT IS SO ORDERED.



Gary Heisler
Administrative Law Judge
for Nick Lyon, Director
Department of Health and Human Services

Date Mailed: **7/24/2015**

GH/jaf

NOTICE: The law provides that within 30 days of receipt of the above Decision and Order, the Claimant 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.

cc:

