



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Christopher Seppanen
Executive Director

SHELLY EDGERTON
DIRECTOR

[REDACTED]

Date Mailed: June 14, 2016
MAHS Docket No.: 16-006204
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

**ORDER OF DISMISSAL
FOR LACK OF JURISDICTION**

Michigan Administrative Hearing System (MAHS) set up a hearing date and time for the above Petitioner. A telephone hearing was scheduled for [REDACTED], at [REDACTED]. At the outset of the hearing, the Petitioner indicated he had not requested a hearing. On [REDACTED], the Department of Health and Human Services forwarded a letter with a DHS-3050 to MAHS indicating the Petitioner was challenging a change in Food Assistance Program (FAP) Benefits. A review of the letter from the Petitioner indicates he requested an inquisition/inquiry into his account and his current caseworker. Petitioner's letter did not state an issue with his FAP benefits being denied, nor acted upon with reasonable promptness, nor a suspension or reduction in benefits, nor exclusion from a service program, nor an alleged failure on the part of the Agency to take into account the recipient's choice of service.

Regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in Mich Admin Code, R 792.10101 to R 792.10137 and R 792.11001 to R 792.11020. Rule 792.11002(1) provides as follows:

An opportunity for a hearing shall be granted to an applicant who requests a hearing because his or her claim for assistance is denied or is not acted upon with reasonable promptness, has received notice of a suspension or reduction in benefits, or exclusion from a service program, or has experienced a failure of the agency to take into account the recipient's choice of service.


A client's request for hearing must be in writing and signed by an adult member of the eligible group, adult child, or authorized hearing representative (AHR). Department of Health and Human Services Bridges Administrative Manual (BAM) 600 (October 2015), p. 2.

Moreover, BAM 600, p. 6, provides that a request for hearing must be received in the Department local office within 90 days of the date of the written notice of case action.

As the Petitioner did not desire nor request a hearing, the matter must be **DISMISSED** for a lack of jurisdiction.

IT IS SO ORDERED.

MJB/jaf



Michael J. Bennane
Administrative Law Judge
for Nick Lyon, Director
Department of Health and Human Services

NOTICE OF APPEAL: A party may appeal this Order in circuit court within 30 days of the receipt date. A copy of the circuit court appeal must be filed with the Michigan Administrative Hearing System.

DHHS

[REDACTED]

Petitioner

[REDACTED]

cc:

[REDACTED]