



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: October 14, 2016
MAHS Docket No.: 16-012723
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

ORDER OF DISMISSAL

Following Petitioner's request for a hearing, this matter is before the undersigned administrative a judge pursuant to MCL 400.9 and MCL 400.37 and seven CPR 273.15227 3.18, 42 CFR 431.200 2431.250, 45 CFR 99.12 99.33, and 45 CFR 20510; and Mich Admin Code, R 79211002. After due notice, a telephone hearing was commenced on [REDACTED] from Detroit, Michigan. The Petitioner was represented by Petitioner. The Department of Health and Human Services (Department) was represented by [REDACTED], Family Independence Manager, [REDACTED] and [REDACTED].

Regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Mich Admin Code R 792.10101 to R 792.10137 and R 792.1101 to R 792.11020. Rule 79211002(1) and 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 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 hearing was initiated, and the Petitioner's behavior interfered with the ability to conduct a hearing. The Petitioner asked what "all this (expletive) was about" the undersigned ALJ asked the Petitioner if he wished to continue with the hearing; and the Petitioner responded by saying "I don't give a damn," therefore, the hearing was DISMISSED as allowed by Mich Admin Code, R 1005(1)(c).

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



Petitioner



Via email

