



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: March 3, 2017
MAHS Docket No.: 17-001154
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Vicki Armstrong

HEARING DECISION

Following Petitioner's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 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; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on March 1, 2017, from Lansing, Michigan. Petitioner personally appeared and testified.

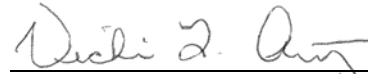
The Department of Health and Human Services (Department) was represented by Assistance Payment Supervisor, [REDACTED] and Assistance Payment Worker, [REDACTED] and [REDACTED] testified on behalf of the Department. The Department submitted nine exhibits which were admitted into evidence. The record was closed at the conclusion of the hearing.

Prior to the closure of the hearing record, it was determined that Petitioner's request for hearing was untimely. Petitioner indicated that she had received the Notice of State SSI Payment Change dated March 25, 2016, informing her that her quarterly State SSI payment had been cancelled and if she did not agree with the action, she had 90 days to request a hearing. Petitioner did not request a hearing contesting the cancellation until January 17, 2017.

The regulations regarding the hearing and appeal process for applicants and recipients of public assistance are in 2015 Michigan Administrative Code, Rule 400.904. Any hearing request which protests a denial, reduction or termination of benefits must be filed within 90 days of the mailing of the negative action notice. R 400.904(4).

Therefore, it is not necessary for the Administrative Law Judge to decide the matter that was in dispute. Pursuant to Mich Admin R 400.904(4), Petitioner's hearing request is **HEREBY DISMISSED**, because Petitioner's hearing request was not submitted timely.

VLA/bb



Vicki Armstrong
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 (MAHS).

A party may request a rehearing or reconsideration of this Order if the request is received by MAHS within 30 days of the date the Order was issued. The party requesting a rehearing or reconsideration must provide the specific reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088; Attention: MAHS Rehearing/Reconsideration Request.

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-8139

DHHS

[REDACTED]

Petitioner

[REDACTED]