



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM

SHELLY EDGERTON  
DIRECTOR

[REDACTED]  
[REDACTED]  
[REDACTED]

Date Mailed: January 31, 2018  
MAHS Docket No.: 17-016365  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris**

**ORDER OF DISMISSAL  
FOR LACK OF JURISDICTION**

Following Petitioner'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; and Mich Admin Code, R 792.11002. After due notice, a 4 way telephone hearing was held on January 31, 2018, from Detroit, Michigan. The Department of Health and Human Services (Department) was represented by [REDACTED], Assistant Attorney General and [REDACTED], FIM was also present. The Petitioner [REDACTED] appeared by telephone and was represented by [REDACTED], Attorney and [REDACTED] both who also appeared by telephone.

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.

In this matter the Petitioner requested a hearing on December 18, 2017 after she submitted a medical bill packet for processing as medical expenses to be considered for calculation of her FAP benefits. After the hearing request, the Department fully processed the medical bills and issued a Notice of Case Action to the Petitioner. Because the request was for the Department's failure to process the change, and at the time of the hearing the Department had processed the bills, there was no further issue that required resolution as the request for hearing had been resolved.

Petitioner's hearing request for December 18, 2017 for failure to process medical bills submitted November 6, 2017 was resolved at the time of the hearing held on January 31, 2018, and therefore no issue remained to be resolved as the issue was moot, and is, therefore, **DISMISSED** for lack of jurisdiction.

**IT IS SO ORDERED.**

LF/cg



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**Lynn M. Ferris**  
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

**Counsel for Respondent  
Via – First-Class Mail:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Via Email:**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Counsel for Petitioner  
Via – First-Class Mail:**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Petitioner  
Via – First-Class Mail:**

[REDACTED]  
[REDACTED]  
[REDACTED]