



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ORLENE HAWKS
DIRECTOR

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

Date Mailed: December 12, 2019
MOAHR Docket No.: 19-009659
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Jacquelyn A. McClinton

**ORDER GRANTING ADJOURNMENT
AND NOTICE OF IN PERSON HEARING**

On November 20, 2019, the Department's Counsel requested an adjournment of the hearing scheduled for December 2, 2019, in the above-captioned matter. In the request for adjournment, Department's Counsel stated that the assigned caseworker was unavailable on December 2, 2019. Petitioner's Counsel did not object to the request for adjournment. The Department also requested that [REDACTED] be permitted to testify by telephone. That request is hereby granted. The undersigned Administrative Law Judge, having found good cause exists to adjourn the hearing in this matter,

NOW THEREFORE, IT IS ORDERED that the hearing scheduled for December 2, 2019, is adjourned. The hearing in the above-captioned matter will be held at **9:00 a.m. on Monday, February 3, 2020**, at the Department of Health and Human Services Office, 220 Fort St., Port Huron, MI 48060. The hearing will be conducted by Administrative Law Judge Jacquelyn McClinton. Parties are required to provide a copy of any proposed exhibits to the opposing party at least seven (7) days prior to the hearing.

JAM/jaf

Jacquelyn A. McClinton
Administrative Law Judge
for Robert Gordon, 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 Office Administrative Hearings and Rules.

HEARING INSTRUCTIONS—Please Read Before Hearing

INFORMATION: The Michigan Office of Administrative Hearings and Rules (MOAHR) mailing address is P.O. Box 30639, Lansing, MI 48909-8143. The MOAHR telephone number is **517-335-7519** and the MOAHR fax number is **517-763-0155**. Please know that MOAHR cannot provide legal advice to you. **Photo ID is required to enter state office buildings.** General administrative hearing rules are contained in Mich Admin Code, R 792.10101 *et seq.*

RIGHT TO BE REPRESENTED: You have the right to be represented at your own expense by an attorney of your own choosing, or law permitting by an authorized representative. Your attorney or authorized representative must immediately file an Appearance in writing with MOAHR by regular mail or facsimile, with a copy to the opposing party.

PROCEDURE: The formal administrative hearing will be conducted by an assigned Administrative Law Judge (ALJ) before whom you will have the right to testify as to the facts, offer evidence, and explain reasons for agreeing or disagreeing with the determination in dispute. You should be prepared to present your case at the time and place stated on the Notice of Hearing. Failure to participate in the scheduled hearing may result in a decision being entered against you and/or dismissal of your case. **IN-PERSON HEARING:** Unless otherwise indicated on the Notice of Hearing, the hearing will be held in person before the ALJ at the hearing location stated. **TELEPHONE HEARING:** You must be available on the scheduled hearing date and time at the telephone number you have provided on your hearing request, **unless** the Notice of Hearing states a designated location where you must appear in person for the telephone hearing.

ADJOURNMENT/WITHDRAWAL: If you cannot participate in the hearing as scheduled or you no longer seek a hearing, you must contact MOAHR **prior** to the hearing. All requests must be made **in writing**, signed, and either mailed or faxed to MOAHR. Unless MOAHR notifies you that your request has been granted, you must be available for the scheduled hearing.

WITNESSES: You may offer witnesses to testify whose testimony is relevant to the matter at issue, subject to ALJ rulings.

EXHIBITS: If you have documents which you seek to offer as evidence, you must submit them to the opposing party by mail, fax (if less than 25 pages) or delivery at least seven days before the hearing date, with a copy of the exhibits (or a list of the exhibits, if only a list is requested by the ALJ), unless applicable law states otherwise, or another time period is set by the ALJ, or good cause is shown for late filing. The documents must contain the Petitioner's name and MOAHR Docket No. which can be found on Notice of Hearing. Any photographs or small documents should be attached to 8½ x 11-inch paper. MOAHR is not responsible for photocopying your documents.

PLEADINGS AND MOTIONS: All pleadings and motions shall be filed by regular mail, fax, or personal or overnight delivery (not e-mail) with the MOAHR. You must send a copy of any pleading or motion that you file, including all attachments, to the opposing party as listed on the Proof of Service accompanying this Notice. If the opposing party files a motion or pleading, you have seven (7) days to file a response, unless another time period is set by the ALJ.

HEARING DECORUM: Proper hearing decorum is required for all persons present at the hearing, including appropriate attire and language. Persons may be excluded from the hearing by the ALJ for unruly or threatening behavior or language.

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA): This is to notify you that all necessary and relevant information, including your health and payment information necessary to conduct a comprehensive and fair hearing, might be disclosed to parties throughout the hearing process. Your information will be used solely for purposes related to the hearings process and kept secure during the process.

AMERICANS WITH DISABILITIES ACT (ADA): All hearings are conducted in a barrier-free location and are in compliance with the Americans with Disabilities Act. A disabled individual requiring accommodation(s) for effective participation in a hearing, including accessible documents, can file a request with the MOAHR. To ensure the availability of accommodations, a request should be made in writing within five (5) days of the date of the Notice of Hearing.

Counsel for Respondent
(via electronic mail)

[REDACTED]
[REDACTED]
[REDACTED]

Counsel for Respondent
(via electronic mail)

[REDACTED]
[REDACTED]
[REDACTED]

DHHS
(via electronic mail)

[REDACTED]
[REDACTED]

Petitioner
(via first class mail)

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

Counsel for Petitioner
(via electronic mail)

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

Counsel for Petitioner
(via first class mail)

[REDACTED]
[REDACTED]
[REDACTED]