



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]

Date Mailed: March 10, 2020
MOAHR Docket No.: 19-013603
Agency No.: [REDACTED]
Petitioner: [REDACTED]

SUPERVISING ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

ORDER VACATING THE DISMISSAL
AND
RESCHEDULING MATTER FOR HEARING

Petitioner [REDACTED] had a hearing scheduled at the Department of Health and Human Services' (Departments') local Grandmont office on January 29, 2020 at 2:00 pm. Petitioner timely appeared at the local office, but the Department failed to call the Michigan Office of Administrative Hearings and Rules (MOHAR) to verify that he was present. Because MOAHR was not contacted for the hearing, on January 30, 2020, it issued an Order of Dismissal, dismissing Petitioner's hearing request due to his failure to appear for the hearing. The Department subsequently notified MOAHR that Petitioner was present for his hearing at the scheduled date and time, but, because of an internal error, it had failed to call Petitioner to a hearing room for his hearing. Based on information provided by the Department, good cause exists to vacate the Order of Dismissal.

NOW, THEREFORE, IT IS ORDERED that the Order of Dismissal is hereby **VACATED**.

IT IS FURTHER ORDERED that this matter be scheduled for hearing with notice provided to the parties in accordance with applicable law and policy.

ACE/tlf

Alice C. Elkin
Supervising 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.

Via Email:

MDHHS-Wayne-31-Hearings
MDHHS-Recoupment
MOAHR

Petitioner – Via First-Class Mail:

[REDACTED]
[REDACTED]
[REDACTED]