



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

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

MARLON BROWN
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: May 30, 2024
MOAHR Docket No.: 24-003105
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Colleen Lack

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 telephone hearing was held on April 30, 2024, from Lansing, Michigan. [REDACTED] [REDACTED] the Petitioner, appeared on her own behalf. The Department of Health and Human Services (Department) was represented by Julie Parrish, Supervisor.

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.

Two hearings were scheduled for Petitioner's March 18, 2024 hearing request. MOAHR Docket No. 24-003103 addressed the disability portion of Petitioner's hearing request. MOAHR Docket No. 24-003105 addressed non-disability portion of Petitioner's hearing request for multiple assistance programs, including the Food Assistance Program (FAP), Family Independence Program (FIP), State Emergency Relief (SER), and Medical Assistance (MA).

In the present case, the Department confirmed that there has been no adverse action regarding FAP, FIP, SER, or HMP-MA. Petitioner is active MA under the Healthy Michigan

Plan (HMP) category. Petitioner is receiving the maximum FAP benefit amount for a group size of one. Eligibility for FIP was not considered when Petitioner applied for cash assistance because she does not have a child under 18 in her household. Petitioner has not applied for SER. (Hearing Summary; Supervisor Testimony). Petitioner confirmed that she did not have any concerns regarding her FAP benefits. Petitioner indicated she misunderstood when she marked the additional programs on her hearing request. Petitioner is only contesting the disability denial for the State Disability Assistance (SDA) program and MA. Accordingly, there is no contested issue to review regarding FAP, FIP, SER, or HMP-MA. As indicated above, a separate hearing has been scheduled to address the disability portion of Petitioner's hearing request.

The non-disability portions of Petitioner's March 18, 2024, which included FAP, FIP, SER, and HMP-MA, hearing request are, therefore, **DISMISSED**.

IT IS SO ORDERED.

CL/dm



Colleen Lack
Administrative Law Judge

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 of Administrative Hearings and Rules (MOAHR).

A party may request a rehearing or reconsideration of this Order if the request is received by MOAHR 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. MOAHR will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MOAHR. If submitted by fax, the written request must be faxed to (517) 763-0155; Attention: MOAHR Rehearing/Reconsideration Request.

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

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

