



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] MI [REDACTED]

Date Mailed: April 28, 2023
MOAHR Docket No.: 22-004284-RECON
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Kevin Scully

ORDER DENYING REQUEST FOR REHEARING AND/OR RECONSIDERATION

On April 7, 2023, Petitioner filed a request for rehearing and/or reconsideration of the Order of Dismissal for Lack of Jurisdiction issued by Administrative Law Judge Kevin Scully following a hearing conducted on October 25, 2022, and the dismissal was mailed on October 27, 2022.

The rehearing and reconsideration process is governed by the Michigan Administrative Code, Rule 792.11015, *et seq.*, and applicable policy provisions articulated in the Bridges Administrative Manual (BAM), specifically BAM 600, which provide that a rehearing or reconsideration must be filed in a timely manner consistent with the statutory requirements of the particular program that is the basis for the client's benefits application or services at issue and may be granted so long as the reasons for which the request is made comply with the policy and statutory requirements. There is also a statutory basis provided in MCL 24.287 for a rehearing of an administrative hearing.

Subpart A of Part 10 of the Michigan Office of Administrative Hearing System (MOAHR) Hearing Rules provides in pertinent part:

Rule 1015.

(1) A party who has received an adverse hearing decision shall file a request for rehearing or reconsideration with the hearing system in writing within 30 days after the decision has been mailed.

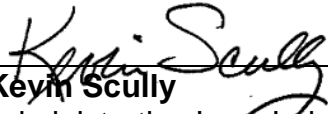
Mich Admin Code, R 792.11015.

Petitioner filed a request for rehearing and/or reconsideration 162 days after a written final decision was issued with respect to his verbal request for a hearing received by the Department on September 13, 2022. Petitioner's request for rehearing and/or reconsideration is untimely because it was not filed within 30 days, and it no longer falls under the jurisdiction of Michigan Office of Administrative Hearings and Rules (MOAHR).

Accordingly, the request for rehearing and/or reconsideration is **DENIED**.

IT IS SO ORDERED.

KS/tlf



Kevin Scully
Administrative Law Judge
Michigan Office of Administrative Hearings
and Rules (MOAHR)

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.

Via-Electronic Mail :

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Via-First Class Mail :

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