



GRETCHEN WHITMER
GOVERNOR

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

MARLON I. BROWN, DPA
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: March 11, 2024
MOAHR Docket No.: 24-000249
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Kevin Scully

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 400.37; 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. After due notice, a telephone hearing was held on March 7, 2024, from Lansing, Michigan. Petitioner represented himself. The Department was represented by Jennifer Sabo.

Clients have the right to contest a department decision affecting eligibility or benefit levels whenever it is believed that the decision is incorrect. The client or authorized hearing representative has 90 calendar days from the date of the written notice of case action to request a hearing. The request must be received anywhere in DHS within the 90 days. Department of Human Services Bridges Administrative Manual (BAM) 600 (February 1, 2024), pp 6-7.

Persons applying, receiving or eligible for State Disability Assistance (SDA) must be referred to SSA to apply for SSI. Department of Health and Human Services Bridges Eligibility Manual (BEM) 270 (July 1, 2020), p 3. A finding that an individual is not disabled by SSA is binding on the Department. Department of Health and Human Services Bridges Administrative Manual (BAM) 815 (April 1, 2018), p 2.

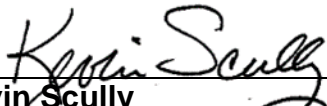
On April [REDACTED] 2023, the Department received reliable information showing that Petitioner's appeal of the denial of his application for Supplemental Security Income (SSI) benefits had been denied by the Social Security Administration (SSA) Appeals Council on May 26, 2022. On April [REDACTED] 2023, the Department notified Petitioner that he was not eligible for cash assistance effective April 1, 2023. On January 10, 2024, the Department received Petitioner's request for a hearing protesting the denial of cash assistance.

Petitioner failed to establish that he is potentially eligible for cash assistance, and he failed to establish that he filed a timely request for a hearing protesting the denial of cash assistance.

Petitioner's hearing request is therefore **DISMISSED** for lack of jurisdiction.

IT IS SO ORDERED.

KS/dm



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 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

Via-Electronic Mail :

DHHS
Jamie Dent
Grand Traverse/Leelanau County
DHHS
**MDHHS-GrandTraverse-
Hearings@michigan.gov**

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BSC1HearingDecisions

MOAHR

Via-First Class Mail :

Petitioner

[REDACTED]
[REDACTED]
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