



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 28, 2024
MOAHR Docket No.: 24-000916
Agency No.: [REDACTED]
Petitioner: [REDACTED] [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 21, 2024, from Lansing, Michigan. Petitioner represented herself. The Department was represented by Rachel Meade.

On October [REDACTED] 2023, the Department received Petitioner's TANF Eligibility Determination (DHS-3043) form requesting assistance with the purchase of an automobile. Exhibit A, p 5. On November [REDACTED] 2023, the Department notified Petitioner that her application for Direct Support Services (DSS) had been denied. Exhibit A, p 10. On January 25, 2024, the Department received Petitioner's request for a hearing protesting the denial of Direct Support Services (DSS) assistance. Exhibit A, pp 3-4.

Direct Support Services (DSS) is established by the Social Welfare Act, MCL 400.1-.119b. The program is administered by the Department pursuant to MCL 400.10 and 400.57a and Mich Admin Code R 400.3603.

The Department may authorize up to \$5,000 to purchase a vehicle to be used as a participant's primary means of transportation for work or employment-related activities. Department of Health and Human Services Bridges Eligibility Manual (BEM) 232 (October 1, 2023), p 16.

However, there is no entitlement for DSS assistance with the purchase of a vehicle, and approval of DSS benefits is within the discretion of the Department and is based on local office funding. Since there is no entitlement to DSS assistance, there is no entitlement to a hearing protesting the denial of DSS assistance.

Therefore, Petitioner's request for a hearing protesting the denial of Direct Support Services (DSS) is dismissed.

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
Heather Dennis
Jackson County DHHS
MDHHS-Jackson-
Hearings@michigan.gov

DensonSogbakaN

BSC4HearingDecisions

MOAHR

Via-First Class Mail :

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