

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Claimant

Reg. No.: 2008-30713

Issue No.: 6019

Case No.: [REDACTED]

Load No.: [REDACTED]

Hearing Date:

April 21, 2010

Wayne County DHS (43)

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437 upon the claimant's request for a hearing. After due notice a telephone hearing was held on April 21, 2010. The claimant personally appeared and testified.

ISSUE

Did the department properly deny the claimant's Child Care (CDC) application?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material and substantial evidence on the whole record, finds as material fact:

1. On May 8, 2008, the claimant applied for CDC.
2. On August 6, 2008, the department denied the CDC application.
3. On August 21, 2008, the claimant filed a request for a hearing.

CONCLUSIONS OF LAW

The Child Development and Care program is established by Titles IVA, IVE and XX of the Social Security Act, the Child Care and Development Block Grant of 1990, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The program is implemented by Title 45 of the Code of Federal Regulations, Parts 98 and 99. The Department of Human Services (formerly known as the Family Independence Agency) provides services to adults and children pursuant to MCL 400.14(1) and MAC R 400.5001-5015. Department policies are contained in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

The claimant filed for CDC on May 8, 2008. The department requested and received income information and found the claimant not eligible due to excess income.

The claimant's monthly gross income is \$4,761.00 the income limit is \$1,607.00. (RFT 270, p.1).

This ALJ finds that the department was correct in denying the claimant's CDC application based on excess income.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, AFFIRMS the Department's actions in the instant case.



Michael J. Bennane
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

2008-30713/MJB

Date Signed: 5/19/2010

Date Mailed: 5/19/2010

NOTICE: Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

MJB/jlg

cc:

