

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Claimant

Reg. No.: 2009-14172  
Issue No.: 1015  
Case No.:   
Load No.:   
Hearing Date:  
March 30, 2008  
Macomb County DHS (36)

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 March 30, 2008. The Claimant personally appeared and testified.

ISSUE

Did the Department properly compute the Claimant's Family Independence Program (FIP)?

FINDINGS OF FACT

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

1. The Claimant is a FIP recipient. The group size is two (2).
2. On January 15, 2009, the Department ran a new budget including the new income. (Department exhibit 3-4).

3. On January 15, 2009, the Department sent the Claimant a benefit notice based on the new income information.
4. On January 29, 2009, the Claimant filed a request for a hearing questioning her FIP allotment.

#### CONCLUSIONS OF LAW

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 8 USC 601, et seq. The Department of Human Services (formerly known as the Family Independence Agency) administers the FIP program pursuant to MCL 400.10, et seq., and MAC R 400.3101-3131. The FIP program replaced the Aid to Dependent Children (ADC) program effective October 1, 1996. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

In the instant case the Claimant questions the benefits allowed. The Department budgeted [REDACTED] per month as income. This figure was not disputed by the claimant.

The income figures resulted in a budgetable income of [REDACTED] per month. Relevant policy is found in RFT 210 showing eligible grantees up to \$401.00.

The Department is correct in reducing the FIP grant to \$10.00 before closing the grant out.

DECISION AND ORDER

The Administrative Law Judge based on the above findings of fact and conclusions of law, AFFRIMS the Department's actions in the instant case. The Department did agree to accept further income documentation concerning the Claimant's husband's income and re-budget accordingly.

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

Date Signed: 04/22/09

Date Mailed: 04/23/09

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 60 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

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