

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 200930695  
Issue No.: 6027  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date: July 22, 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 and MCL 400.37 upon the claimant's request for a hearing. After due notice, a telephone hearing was held on July 22, 2010. The claimant appeared and testified.

**ISSUE**

Did the Department properly process the Claimant's Child Care (CDC)?

**FINDINGS OF FACT**

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

1. On April 24, 2009, the claimant applied for CDC.
2. The department has no evidence that the claimant applied for CDC.
3. On July 20, 2009, 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).

## **Response to Applications**

### **All Programs**

An application or filing form, with the minimum information, must be registered on ASSIST **unless** the client is already active for that program(s). (PAM 110, p.6).

This ALJ finds the claimant's claim of filing for CDC on April 24, 2009, credible. It should be noted that the department refused to check its "sign-in" log because it could not "stop to look for the log."

## **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, **REVERSES AND ORDERS** the Department to reregister the claimant's CDC application of April 24, 2009, and process the application and benefits based on documentation provided by the claimant.



---

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

Date Signed: 08/02/2010

Date Mailed: 08/02/2010

**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 mailing 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.

3

200930695/MJB

MJB/jlg

cc:

