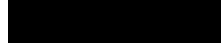


STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Claimant

Reg. No.: 2009-17485

Issue No.: 3002

Case No.:

Load No.:

Hearing Date:

May 7, 2009

Wayne County DHS (49)

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 May 7, 2009. The Claimant personally appeared and testified.

ISSUE

Did the Department correctly calculate the Claimant's Food Assistance (FAP), benefits?

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 was an ongoing FAP recipient. The group size is one (1).
- (2) On March 5, 2009, the Department conducted a review of the claimant's FAP. (Department exhibit 6).
- (3) On March 7 2009, the department ran a FAP budget reflecting an increase in the claimant's RSDI benefits. (Department exhibit 4).

- (4) On March 7 2009, the department sent the claimant a notice that his FAP would be reduced to \$65.00 per month.
- (7) On March 17, 2009, the Claimant filed a request for a hearing contesting her FAP benefit and the closing of her AMP.

CONCLUSIONS OF LAW

The Food Assistance Program (FAP) (formerly known as the Food Stamp (FS) program) is established by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the FAP program pursuant to MCL 400.10, et seq., and MAC R 400.3001-3015. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Tables (PRT).

The Claimant questions the amount of his FAP allotment. The Claimant has a net income of \$369.00 per month. This was obtained by subtracting the standard deduction of \$135.00 and the excess shelter amount of \$677.00 from the adjusted gross income of \$1,181.00.

The amount of a monthly FAP allotment is established by regulations at 7 CFR 273.10. A household of one person with a net monthly income of \$369.00 is entitled to a monthly FAP grant of \$65.00 per month. (RFT 260, p. 7)

This ALJ finds that the department was correct in its calculation of the claimant's FAP.

