

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: 2009-18368

Issue No: 6046

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

May 7, 2009

Calhoun County DHS

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon claimant's request for a hearing. After due notice, an in-person hearing was held on May 7, 2009. Claimant personally appeared and testified.

ISSUE

Did the Department of Human Services (the department) properly deny claimant's application for car insurance?

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 February 25, 2009, claimant filed an application requesting assistance with payment of her car insurance.

(2) On February 26, 2009, the department caseworker sent claimant notice explaining that the request for the car insurance was denied based upon its determination that claimant's car insurance had already been paid as a one-time work-related expense.

(3) On March 2, 2009, claimant filed a request for a hearing to contest the department's negative action.

CONCLUSIONS OF LAW

The Department of Human Services assists families to achieve self-sufficiency. The primary avenue to self-sufficiency is employment. DHS and the Michigan Works! Agencies (MWAs) provide Direct Support Services (DSS) to help families become self-sufficient.

Direct Support Services are goods and services provided to help families achieve self-sufficiency. DSS includes Employment Support Services (ESS) and Family Support Services (FSS). There is no entitlement for DSS. The decision to authorize DSS is within the discretion of Department of Human Services or the Michigan Works! Agency. (PEM, Item 232, p. 1)

The department is authorized to issue Employment Support Services directly needed to obtain, maintain, or enhance a person's employment when funds are not available from other sources in the form of one-time work-related expenses such as: auto insurance. (PEM, Item 232, p. 12)

In the instance case, the department established on the record that it paid six months of vehicle insurance for claimant on January 4, 2008 and that claimant has in excess of [REDACTED] per month in household income. Therefore, the department has established by the necessary, competent, material and substantial evidence on the record that it was acting in compliance with department policy when it determined that claimant was not eligible to receive payment of her car insurance because the department had already paid it January 4, 2008.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, determines that the department appropriately denied claimant's application for automobile insurance based upon its determination that the department has already provided claimant with six months of automobile insurance payment as a one-time work-related expense on January 4, 2008.

Accordingly, the department's decision is AFFIRMED.

/s/ _____
Landis Y. Lain
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: May 28, 2009

Date Mailed: May 29, 2009

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.

LYL/vmc

cc:

