

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.: 2009-19020  
Issue No.: 4000  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date:  
June 22, 2009  
Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Linda Steadley Schwarb

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, a hearing was held on June 22, 2009. The claimant appeared and testified.

ISSUE

Did the Department of Human Services (DHS or department) properly process claimant's application for State Disability Assistance (SDA) program benefits?

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 June 26, 2008, claimant filed an application for SDA benefits.
- 2) On July 14, 2008, claimant filed a request for hearing to protest the department's failure to provide Food Assistance Program (FAP) and SDA benefits.
- 3) Prior to the hearing, claimant asked the department to terminate her ongoing FAP benefits and the department did so.

- 4) At the hearing, the department agreed to initiate consideration of claimant's June 26, 2008 application for SDA benefits. The department agreed to reconstruct the June 26, 2008 application if necessary. The department further agreed to provide claimant with a written determination as to claimant's eligibility for SDA program benefits.

#### CONCLUSIONS OF LAW

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180. Department policies are found in the Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

In this matter, the department was bound by the following policy:

Following registration of the application, you must do **all** of the following:

- Interview clients when required by policy . . .
- Determine eligibility for a program within the applicable standard of promptness (SOP) . . .
- Document the eligibility determination on the DHS-1171-C, Eligibility Determination and Certification . . .
- Inform the client of the eligibility determination . . .

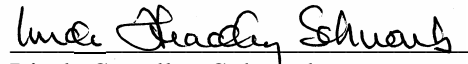
PAM Item 115, Page 1

In this matter, the department acknowledged receiving an application for SDA program benefits from claimant on June 26, 2008. At the hearing, the department agreed to initiate consideration of claimant's June 26, 2008 application for SDA benefits. The department indicated that it will reconstruct the June 26, 2008 application if necessary. The department

further agreed to provide claimant with a written determination as to claimant's eligibility for SDA program benefits. The undersigned Administrative Law Judge hereby orders the department to comply with the policy requirements of PAM Item 115, Page 1.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department of Human Services shall initiate consideration of claimant's June 26, 2008 application for State Disability Assistance. The department will reconstruct the June 26, 2008 application if necessary. The department shall further provide the claimant with a written determination as to her eligibility for State Disability Assistance program benefits per her June 26, 2008 application.

  
Linda Steadley Schwarb  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: 10/20/09

Date Mailed: 10/23/09

**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 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.

LSS/dj

2009-19020/LSS

cc:

