

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: 2009-19371
Issue No: 6000
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
May 27, 2009
Kent County DHS

ADMINISTRATIVE LAW JUDGE: Steven M. Brown

ORDER OF DISMISSAL

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon Claimant's request for hearing. After due notice, a telephone hearing was conducted from [REDACTED] on May 27, 2009.

In July 2008, the Department approved Child Development and Care (CDC) benefits for Claimant (child care payment assistance) because Claimant was employed. Claimant's employment ended, but she applied for the Family Independence Program (FIP) so the CDC case was left open so she could use child care to attend JET. Claimant's FIP case was denied on January 22, 2009 due to excess unemployment income. The Department terminated Claimant's CDC benefits effective February 24, 2009 because she was not working, was not required to attend JET and did not report that she had any other qualifying need such as attending school.

Claimant requested this hearing on the termination of her CDC benefits. After reading the Hearing Summary into evidence and offering its exhibits, the Department representatives testified that Claimant had produced satisfactory documentation that she had informed her

previous caseworker and provided her with the proper verification that she was attending school. Claimant, however, did not inform her then current caseworker and the verification was not in the file. The Department's position was that it was a miscommunication and that Claimant's CDC benefits would not have been terminated if it had this information. The Department stated that it would reinstate Claimant's CDC benefits back to the date of termination, February 24, 2009. Claimant is satisfied with the resolution of the hearing issue.

Accordingly, the Department shall:

- (1) Reinstatement of Claimant's CDC benefits back to the date of termination, February 24, 2009, and issue any supplemental benefits that she may be thereafter entitled to.

It is SO ORDERED.

/s/ _____
Steven M. Brown
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: June 2, 2009

Date Mailed: June 3, 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 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.

2009-19371/smb

SMB/db

cc:

