

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: 2010-10195
Issue No: 6015
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
August 3, 2010
Kent County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

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 telephone hearing was held on August 3, 2010. Claimant's spouse appeared and testified.

ISSUE

Did the Department of Human Services properly deny Claimant's application for Child Development and Care (CDC) due to failure to provide required verifications?

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 August 27, 2009, Claimant applied for Child Development and Care (CDC) benefits for a foster child. A Verification Checklist (DHS Form 3503) was sent to Claimant requesting verification of income in order to show hours and need.

(2) On September 2, 2009, the Verification Checklist (DHS Form 3503) was

returned. Claimant had written on the form that income information was not necessary because the care was for a foster child.

(3) September 15, 2009, the Verification Checklist (DHS Form 3503) was sent back to Claimant with a more detailed explanation of the reason pay stubs were needed to determine the weekly day care need.

(4) On October 6, 2009, the Department case worker had not received verification of the hours Claimant and his spouse were working. An Application Eligibility Notice form (DHS-1150) was sent denying the CDC application.

(5) On October 21, 2009, Claimant submitted a request for 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 (DHS or department) provides services to adults and children pursuant to MCL 400.14(1) and MAC R 400.5001-5015. Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

During the hearing Claimant's spouse testified that they sent in pay stubs after they got the more detailed explanation. She was unable to remember what date the pay stubs were sent in. The request for hearing which was submitted on October 21, 2009, stated that paycheck stubs had been sent in. The case file does not contain any pay stubs dated prior to January 2010.

The evidence in the record is insufficient to establish that Claimant and his spouse provided required verifications of their work hours prior to the October 6, 2009 denial.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly denied Claimant's application for Child Development and Care (CDC) due to failure to provide required verifications.

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHELD.

/s/

Gary F. Heisler
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: August 16, 2010

Date Mailed: August 17, 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.

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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.

GFH/alc

cc:

