

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: 2010-15270
Issue No: 3002; 2001
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
February 17, 2010
Jackson County DHS

ADMINISTRATIVE LAW JUDGE: Ivona Rairigh

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 February 17, 2010. Claimant personally appeared and testified.

ISSUE

Did the department issue the claimant the correct amount of Food Assistance Program (FAP) benefits, and did the department also correctly deny his Adult Medical Program (AMP) application, in December, 2009?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material and substantial evidence on the whole record, finds as material fact:

1. Claimant applied for Medicaid (MA), State Disability Assistance (SDA), FAP and AMP on December 4, 2009.

2. Claimant was approved for FAP benefits effective December 4, 2009, and is receiving the maximum amount of such benefits for one person (\$200 per month).

3. Claimant's AMP application was denied due to a freeze on new enrollments. Claimant's MA and SDA application was pending at the time of Hearing Summary preparation.

4. Claimant requested a hearing on January 4, 2010, "to know why this action is being taken against me".

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 (DHS or department) administers the FAP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3001-3015. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

The Adult Medical Program (AMP) is established by Title XXI of the Social Security Act; (1115)(a)(1) of the Social Security Act, and is administered by the Department of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Claimant's FAP benefit issuance was discussed and he indicates that he now understands he has been issued the correct amount of such benefits.

Claimant also understands that his AMP was denied due to a freeze on new enrollments that took place several months ago and is based on lack of funding for this program.

Claimant's MA and SDA application was also addressed. This application has been denied since the preparation of the Hearing Summary due to the claimant not returning several forms required for application processing. Claimant also states that he now understands this action, and understands everything done on his case.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department issued the claimant the correct amount of FAP benefits, and also correctly denied his AMP application, in December, 2009.

Accordingly, department's action is AFFIRMED, and it is SO ORDERED.

/s/ _____
Ivona Rairigh
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: March 9, 2010

Date Mailed: March 10, 2010

FAP NOTICE (04-01-06)

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 60 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.

IR [REDACTED]

cc:

[REDACTED]