

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: 2010-25747
Issue No: 1012
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
May 20, 2010
Washtenaw 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 20, 2010. Claimant was represented at the hearing by [REDACTED]

ISSUE

Did the Department of Human Services (the department) properly propose to cancel claimant's Family Independence Agency (FIP) benefits based upon its determination that claimant failed to participate in JET activities?

FINDINGS OF FACT

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

The department in the instant case determined that the sanction on the FIP benefits was a worker error as the prior worker never sent the claimant to the JET program. All benefits were

restored and the supplement for cash assistance was complete and there was no hearable issue at the time of the hearing. Therefore, this Administrative Law Judge finds that the department conceded on the record that there was worker error.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department conceded on the record that it was not acting in compliance with department policy when proposed to cancel claimant's FIP benefits.

Accordingly, the department's decision is REVERSED. The department is ORDERED to make certain that claimant's benefits are reinstated in compliance with this concession.

/s/

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

Date Signed: June 17, 2010

Date Mailed: June 18, 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.

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/alc

2010-25747/LYL

cc:

