

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: 2010-38038

Issue No: 2026, 3002

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

July 1, 2010

Muskegon 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 hearing was held on July 1, 2010. Claimant appeared and testified along with his [REDACTED]

ISSUES

Did the Department of Human Services properly determine that Claimant was eligible for a \$ [REDACTED] deductible Medical Assistance (MA) case?

Did the Department of Human Services determine the proper amount of Claimant's Food Assistance Program (FAP) 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) Claimant was an ongoing recipient of Medical Assistance (MA) and Food

Assistance Program (FAP) benefits. Claimant's cases were due for re-determination in May 2010.

(2) On May 20, 2010, a financial eligibility budget was run using Claimant's current income information. The budget showed that Claimant was eligible for a \$ [REDACTED] deductible Medical Assistance (MA) case. Claimant was sent a Notice of Case Action (DHS-1605) notifying him of the change.

(3) On May 21, 2010, a financial eligibility budget was run using Claimant's current income information. The budget showed that Claimant was eligible for \$ [REDACTED] per month of Food Assistance Program (FAP) benefits. Claimant was sent a Notice of Case Action (DHS-1605) notifying him of the change

(4) On June 11, 2010, Claimant submitted a request for hearing on each of the two programs.

#### CONCLUSIONS OF LAW

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (DHS or department) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

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).

In this case Claimant was receiving Retirement, Survivors, Disability Insurance (RSDI), Unemployment Compensation Benefits (UCB), and earned income at the time the financial eligibility budgets were run. The fact that Claimant was no longer working was raised at this hearing and the Department will recalculate Claimant's eligibility upon receiving required verifications. The financial eligibility budgets run on May 20 & 21, 2010 were correct.

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 determined that Claimant was eligible for a \$ [REDACTED] deductible Medical Assistance (MA) case and determined the proper amount of Claimant's Food Assistance Program (FAP) benefits.

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: July 12, 2010

Date Mailed: July 14, 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 60 days of the filing of the original request.

2010-38038/GFH

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.

GFH/alc

cc:

