STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

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	Reg. No.: Issue No.: Case No.: Hearing Date: County:	201049379 4060 October 5, 2011 Genesee County DHS 2
ADMINISTRATIVE LAW JUDGE: Christopher S	. Saunders	
HEARING DEC	SION	
This matter is before the undersigned Admini strated and MCL 400.37; MCL 400.43 (a); Mich Admini seq., upon a hearing request by the Department establish an over issuance (OI) of benefits to Resewas held on October 5, 2011.	Code, R 400.941 a of Human Servic	and MCL 24.201, et es (Department) to
Respondent did not appear. This matter ha and due notice hav ing been provided to Res Respondent's absence in accord ance with Bridge 725.	pondent, t he he	aring was held in
⊠ Respondent appeared and testified.		
ISSUE		
Did Respondent receive an OI of ☐ FIP ☒ FAF	SDA CDC	C benefits?
FINDINGS OF I	ACT	
The Administrative Law Judge, based on t he evidence on the whole record, finds as material fa	•	al, and substantial
1. Respondent was a recipient of ☐ FIP ☒ FA	P SDA CD	C.
2. Respondent received a ☐ FIP ☒ FAP ☐ S 2008, through October 2008, due to ☒ Depa	SDA	uring the period May ondent's error.

3. \$ of the OI is still due and owing to the Department.

CONCLUSIONS OF LAW

Department policies are contained in the Br idges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).
☐ The Family Independence Program (FIP) was established purs uant to the Personal Responsibility and W ork Opportunity Reconc iliation Act of 1996, Public Law 104-193, 42 USC 601, et seq. The Department (formerly k nown as the Family Independence Agency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 400.3101 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.
∑ The Food Assistanc e Program (FAP) [fo rmerly known as the Food Sta mp (FS) program] is establis hed by the Food St amp Act of 1977, as amend ed, and is implemented by the federal r egulations contained in Title 7 of the Code of Federal Regulations (CFR). The Department (formerly known as the Family Independenc e Agency) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 400.3001 through Rule 400.3015.
☐ The State Disability Assistance (SDA) program, which provides financial assistance for disabled persons, is established by 2004 PA 344. The D epartment of Human Services (formerly known as the Family Independence Agency) administers the SDA program pursuant to MCL 400.10, et seq., and 20 00 AACS, Rule 400.3151 through Rule 400.3180.
☐ The Child Development and Care (CDC) program is establishhed 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 Feder al Regulations, Parts 98 and 99. The Department provides services to adults and children pursuant to MCL 400.14(1) and 1999 AC, Rule 400.5001 through Rule 400.5015.
Based upon the abov e Findings of Fact and Conclus ions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department properly improperly determined that Respondent received a FIP SDA CDC benefits.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, finds that the Department $\ \ \ \ \ \ \ \ \ \ \ \ \ $
Accordingly, the Department is \square AFFIRMED \square REVERSED \square AFFIRMED IN PART or the reasons stated on the record.
☑ The Department is ORDERED to initiate collection procedures in accordance with Department policy.
<u>/s/</u> Christopher S. Saunders Administrative Law Judge for Maura Corrigan, Director

Date Signed: October 5, 2011

Date Mailed: October 5, 2011

NOTICE: The law provides that within 60 days from the mailing date of the above hearing Decision the Re spondent may appeal it to the circuit court for the county in which he/she resides or has his or her principal place of business in this state, or in the circuit court for Ingham County. Administ rative Hearings, on it sown motion, or on request of a party within 60 days of the mailing date of this Hearing Decision, may order a rehearing.

Department of Human Services

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

2010-49379/CSS

Request must be submitted through the local DHS office or directly to MAHS by mail at Michigan Administrative hearings consideration/Rehearing Request

P. O. Box 30639

Lansing, Michigan 48909-07322

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