

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: 20105156
Issue No: 6000
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
April 22, 2010
Wayne County DHS

ADMINISTRATIVE LAW JUDGE: Robert J. Chavez

ORDER OF DISMISSAL

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 April 22, 2010.

ISSUE

Did the claimant receive the correct amount of CDC benefits in September 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 filed a request for hearing on October 5, 2009, based upon a perceived error in CDC benefits.
- (2) At the hearing, the Department and claimant came to a mutually acceptable agreement.

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 Bridges Reference Manual (BRM).

Under Bridges Administrative Manual Item 600, clients have the right to contest any negative agency decision affecting eligibility or benefit levels whenever they believe the decision is illegal. A claimant may also contest at any time the amount of their FAP grant.

Prior to the close of the hearing record, the Department agreed to provide claimant with the documentation necessary to establish CDC billing for her CDC provider. Claimant agreed to have her provider fill out and return those forms. The Department agreed to manually supplement the appropriate amount of CDC benefits for the time period in question.

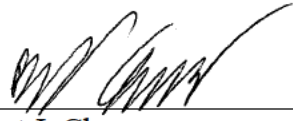
DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, has no reason to decide the matter at hand because the claimant is no longer aggrieved by the Department's actions.

Accordingly, this case is, hereby, DISMISSED.

The Department is ORDERED to provide the claimant with the documentation necessary to establish CDC billing for claimant's CDC provider. Claimant is ORDERED to have her provider fill out and return those forms. Should the claimant return those forms in a timely manner, the Department is FURTHER ORDERED to supplement the appropriate amount of

CDC benefits for the time period in question.



Robert J. Chavez
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: 05/12/10

Date Mailed: 05/13/10

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.

RJC/dj

cc:

