

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 2010-52232

Issue No: 4031

[REDACTED]

October 14, 2010

Isabella County DHS

ADMINISTRATIVE LAW JUDGE: Suzanne L. Morris

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 October 14, 2010. The claimant appeared and provided testimony, along with his representative, [REDACTED], and his grandmother, [REDACTED].

ISSUE

Did the department properly deny the claimant's application for cash assistance?

FINDINGS OF FACT

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

1. The claimant applied for cash assistance on May 3, 2010. (Department Exhibit 4 – 17)
2. The department mailed the claimant a Notice of Case Action (DHS-1605) on May 3, 2010, that informed the claimant his request for cash assistance was denied. (Department Exhibit 1 – 2)
3. The claimant submitted a hearing request on May 10, 2010, although it was not signed at that time. On September 7, 2010, the claimant's representative faxed a signed authorization to represent requesting a hearing to this office.

CONCLUSIONS OF LAW

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 8 USC 601, *et seq.* The Department of Human Services (DHS or department) administers the FIP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3101-3131. The FIP program replaced the Aid to Dependent Children (ADC) program effective October 1, 1996. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

The claimant is disputing the action the department took when it denied the claimant's application for cash assistance. The claimant was mailed a Notice of Case Action (DHS-1605) on May 3, 2010 that informed the claimant his request for cash assistance was denied because he was not a dependent child, a caretaker/relative of a child, pregnant, aged or disabled.

There are two types of cash assistance, State Disability Assistance (SDA) and Family Independence Program (FIP) benefits. SDA is for individuals who are disabled or the caretaker of a disabled person. BEM 214. FIP is for income-eligible individuals that have a dependent child residing with them. BEM 210.

The department denied the claimant's request for cash assistance as he did not meet the criteria for either program. The claimant admits that he does not have dependent children that reside with him, so he is ineligible for FIP benefits. The claimant and his representative testified that they believe he is disabled and should be eligible for SDA benefits.

The department staff member reviewed and discussed the application the claimant submitted on May 3, 2010. On this application, the claimant indicated that he was not blind or disabled. Further, when interviewed by a department staff member, the claimant indicated that he was capable of work. Thus, the claimant presented no basis for disability to the department.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the department properly denied the claimant's application for cash assistance.

