

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: 2010-11676
Issue No: 6021
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
February 3, 2010
Livingston County DHS

ADMINISTRATIVE LAW JUDGE: Ivona Rairigh

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 February 3, 2010. Claimant personally appeared and testified.

ISSUE

Has the claimant received all of the Child Development and Care (CDC) benefits she is entitled to receive?

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 approved for CDC payments when the department made changes to authorized hours for her son from 80 to 50 per pay period on November 3, 2009. This change was done in error.

2. At the same time department's computer system Bridges changed department's percentage of CDC payments from 95% to 100% due to a Children's Protective Service referral that was only on the computer for 3 days and then dismissed. This change was also done in error.

3. Erroneous changes to claimant's CDC case resulted in a CDC closure and overissuance letters being mailed to her for pay periods of July 5, 2009 to October 10, 2009.

4. On November 18, 2009, a Bridges remedy ticket was created when claimant's caseworker tried to correct CDC case errors. Bridges is not allowing any changes to claimant's CDC case until the remedy is performed.

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 Program Administrative Manual (PAM), the Program Eligibility Manual (PEM) and the Program Reference Manual (PRM).

Hearing testimony by the department is that the claimant is indeed entitled to CDC payments, but they cannot be issued at this time due to Bridges system not allowing any changes. A remedy ticket has been issued, however due to large backlog of such tickets in department's Lansing office it is taking a number of months to handle them. This is certainly an unfortunate situation for the claimant, however one that cannot be corrected at this time by her caseworker.

Claimant indicates she understands the problem and was reassured by her caseworker that all of the CDC payments due to her child care providers will be issued once Bridges errors are corrected and he is able to make entries into the system.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the claimant has not received all of the CDC payments she is entitled to receive, due to Bridges errors.

Accordingly, department shall do the following:

1. Once Bridges error is corrected, review claimant's case, perform any necessary budgets and corrections, and issue the claimant's day care providers all of the CDC payments she was entitled to receive but did not due to such error.

2. Notify the claimant of this determination in writing. Claimant reserves the right to request another hearing at that time if she disagrees with department's determination.

SO ORDERED.

/s/

Ivona Rairigh
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: February 10, 2010

Date Mailed: February 23, 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.

2010-11676/IR

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.

IR 

cc:

