

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: 2010-14199
Issue No: 6019
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
August 5, 2010
Iosco 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 August 5, 2010. Claimant appeared and testified.

ISSUE

Did the Department of Human Services over-issue Child Development and Care (CDC) benefits to Claimant during the period June 7, 2009, through August 15, 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 was an ongoing recipient of Child Development and Care (CDC) benefits, with a valid need reason during the period June 7, 2009, through August 15, 2009.
- (2) On November 13, 2009, the BRIDGES computer program generated and sent out an over-issuance notice for Claimant during the period June 7, 2009, through August 15, 2009.

(3) On December 1, 2009, Claimant submitted a request for hearing.

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 Program Reference Manual (PRM).

In this case the Department case worker testified that the BRIDGES over-issuance notice occurred shortly after conversion to the BRIDGES system. The case worker testified that there was no a need reason in the BRIDGES program for the over issuance period but that Claimant did in fact have a valid need reason for Child Development and Care (CDC) benefits during that period.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services DID NOT over-issue Child Development and Care (CDC) benefits to Claimant during the period June 7, 2009 through August 15, 2009.

It is ORDERED that the actions of the Department of Human Services, in this matter, are REVERSED.

It is further ORDERED that any Child Development and Care (CDC) benefits recouped as a result of this over-issuance notice, be supplemented back to Claimant.

/s/

Gary F. Heisler
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: August 23, 2010

Date Mailed: August 24, 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.

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.

GFH/alc

cc:

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