

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.: 2010-36050  
Issue No.: 1000  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date:  
June 16, 2010  
Wayne County DHS (57)

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

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 conducted from Detroit, Michigan on June 16, 2010. Claimant appeared and testified. On behalf of Department of Human Services (DHS), [REDACTED], Manager, appeared and testified.

ISSUE

Whether DHS properly terminated Claimant's Family Independence Program (FIP) benefits on 2/28/10 due to Claimant's alleged noncompliance with Jobs, Education and Training (JET) participation.

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 FIP recipient.
2. DHS found Claimant to be noncompliant with her JET participation.
3. DHS terminated Claimant's FIP benefits to be effective 2/28/10.

4. Claimant submitted a hearing request on 4/29/10 disputing the termination of her FIP benefits.

#### 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 (formerly known as the Family Independence Agency) 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 Reference Tables Manual (RFT).

MCL 24.278(2) and MSA 3.560(178)(2) provide that a contested administrative case may be disposed of by stipulation of the involved parties. Prior to the conclusion of the hearing, DHS agreed to reinstate Claimant's FIP benefits back to 2/28/10, the date of the disputed FIP benefit termination; Claimant agreed to this resolution. Thus, it is therefore unnecessary for the undersigned to resolve this issue as the involved parties have agreed to a settlement.

#### DECISION AND ORDER

The actions taken by DHS are REVERSED in part. It is ordered, based upon agreement of the parties, that DHS: reinstate Claimant's FIP benefits back to 3/1/10, remove any disqualification related to the DHS finding of JET noncompliance and restore any other reduced benefits stemming from the finding of noncompliance.



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Christian Gardocki  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

2010-36050/CG

Date Signed: 6/16/2010

Date Mailed: 6/16/2010

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 receipt 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.

CG/jlg

cc:

