

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.: 2010-3858  
Issue No.: 3023  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date:  
November 23, 2009  
Wayne County DHS (17)

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

HEARING DECISION

This matter is before the undersigned Administrative Law Judge upon pursuant to MCL 400. 9; MCL 400.37 upon claimant's request for a hearing. After due notice a telephone hearing was held on November 23, 2009 claimant was present and testified, [REDACTED] FIM and [REDACTED] ES appeared for the department and testified.

ISSUE

Did the Department properly handle claimant's lost Bridge Card?

FINDINGS OF FACT

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

- (1) Claimant was issued a bridge card for her September FAP benefits of \$200 on September 9, 2009.
- (2) Purchases were made using the card on September 13 and 14 totaling \$165.52.
- (3) Claimant did not receive the card and reported it stolen on September 16, 2009.
- (4) The Department has not reissued a new Bridge Card to claimant for September 2009.

- (5) Claimant requested a hearing on October 13, 2009 contesting the handling of her lost Bridge card.

CONCLUSIONS OF LAW

The Food Assistance Program, formerly known as the Food Stamp (“FS”) program, is established by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (“CFR”). The Department of Human Services (“DHS”), formally known as the Family Independence Agency, administers the FAP program pursuant to MCL 400.10, *et seq* and MAC R 400.3001-3015. Departmental policies are found in the Program Administrative Manual (“PAM”), the Program Eligibility Manual (“PEM”), and the Program Reference Manual (“PRM”).

BAM 401E states that if the Bridge card is lost, stolen or damaged, the client must immediately notify ACS by calling the IVRU. Any benefit loss that occurs prior to this notification is the client’s responsibility and will not be replaced. BAM 401E pg. 4.

In the present case claimant reported the card stolen on September 16, 2009 and the card had a balance of \$34.48 at that time. Pursuant to Department policy a card should have been issued to the claimant with \$34.48.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law decides that the department was incorrect in the handling of Claimant's lost BRIDGE card, and it is ORDERED that the Department's decision in this regard be and is hereby REVERSED.

The Department shall issue a BRIDGE card to the claimant with \$34.38 on it.



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Aaron McClintic  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: 12/14/09

Date Mailed: 12/14/09

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 60 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.

AM/jlg

cc:

