

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: 2010-45206
Issue No: 1030
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
September 9, 2010
Genesee County DHS

ADMINISTRATIVE LAW JUDGE: Jay W. Sexton

ORDER FOR RECOUPMENT (FIP) REPROCESSING

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MCL 400.37; MAC R 400.919 upon claimant's request for a hearing. After due notice, a telephone hearing was held on September 9, 2010 at the Genesee DHS offices in Flint. Claimant personally appeared and testified.

The department was represented by Ayana Fordham (ES).

At the hearing, the department representative testified that she was not familiar with the case and was unable to present any evidence to uphold the department's action.

After a thorough review of the sworn testimony at the hearing, the undersigned orders the local office as follows:

- (1) The local office shall reprocess claimant's recoupment action and establish the following:
 - (a) The recoupment period being contested;
 - (b) The programs which were overissued;
 - (c) The recoupment amount that is being requested;

- (d) The payment plan which the department proposes for recovery of the recoupment;
- (e) Whether or not the overissuance was department error or client error.

SO ORDERED.

/s/ _____
Jay W. Sexton
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: September 20, 2010

Date Mailed: September 21, 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.

JWS/tg

cc:

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