

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: 2010-8597

Issue No: 6019

Case No: [REDACTED]

Load No: [REDACTED]

Hearing Date:

January 21, 2010

Genesee County DHS

ADMINISTRATIVE LAW JUDGE: Steven M. Brown

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 [REDACTED] on January 21, 2010.

ISSUE

Whether the Department properly computed the Claimant's Child Development and Care (CDC) eligibility?

FINDINGS OF FACT

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

(1) On September 30, 2008, the Department ran a CDC budget and approved CDC benefits with no CDC provider authorized.

(2) On January 12, 2009, the Department received a Child Care Provider Form (DHS-4025) from Claimant and/or her CDC provider. (Exhibit 3)

(3) On March 9, 2009, the Department received all necessary verifications from Claimant and/or Claimant's CDC provider. (Exhibits 5,6)

(4) On June 24, 2009, the Department sent Claimant's CDC provider a Notice of Child Care Provider Eligibility approving her application/enrollment effective March 9, 2009. (Exhibit 1)

(5) On September 17, 2009, the Department received Claimant's hearing request.

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 Bridges Reference Manual (BRM).

In the instant case, Claimant agreed with the procedural history set out by the Department. She questioned, however, why she was not entitled to benefits from September 30, 2009 – March 9, 2009. By the end of hearing, Claimant understood and agreed that March 9, 2009 was the date that the Department received all verifications for her CDC provider.

With the above said, based on the testimony and documentation offered at hearing, I find that the Department established that it acted in accordance with policy in computing Claimant's CDC eligibility.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that the Department acted in accordance with policy in computing Claimant's CDC eligibility. Accordingly, the Department's CDC eligibility determination is APPROVED, it is SO ORDERED.

/s/
Steven M. Brown
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: January 26, 2010

Date Mailed: January 26, 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.

SMB/db

cc:

