

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

[REDACTED]

ADMINISTRATIVE LAW JUDGE: [REDACTED]

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MCL 400.37 upon Claimant's request for a hearing. After due notice a telephone hearing was held on [REDACTED]. The Claimant was present and testified.

The regulations governing hearing and appeals for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code. MAC R400.901-951; MAC R 400.903 reads in part: An opportunity for a hearing shall be granted to an applicant who requests a hearing because his claim for assistance is denied or is not acted upon with reasonable promptness, and to any recipient who is aggrieved by a department action resulting in suspension, reduction, discontinuance, or termination of assistance.

In the present case, Claimant filed a request for hearing upon receipt of a Negative Case Action notice indicating that her FAP and FIP cases were closed. During the hearing, the Department stated that they have made an error in determining the income for the FAP budget. The Department and Claimant admit that the FIP has since been reinstated. The Department has agreed to:

1. Recalculate the FAP budget and issue any benefit due to the claimant.

The Claimant retains a right to request a hearing on the above FAP eligibility determination as long as she does within 90 days from the date of the Department's written notice pursuant to BAM 600.

The Department and Claimant have come to a settlement regarding the Claimant's request for a hearing. Therefore, there is no issue in this matter. This Administrative Law Judge based on the agreed upon settlement orders the Department to initiate the action set forth in the agreed settlement immediately.

The case is DISMISSED.

_____/s/_____


Date Signed: 4/14/11

Date Mailed: 4/14/11

NOTICE: The law provides that within 30 days of receipt of the above Decision and Order, the respondent may appeal it to the circuit court for the county in which he/she lives.



