

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 201122823
Issue No: 4001
Case No: [REDACTED]
Load No: 8249000000
Hearing Date:
[REDACTED]
Wayne County DHS

ADMINISTRATIVE LAW JUDGE: [REDACTED]

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 hearing was held on [REDACTED].

ISSUE

Was the claimant's SDA application properly processed?

FINDINGS OF FACT

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

- (1) Client was a SDA applicant in Wayne County.
- (2) Claimant applied for SDA in [REDACTED]
- (3) A DHS-3503 was sent out with regard to this application on [REDACTED]
[REDACTED]
- (4) Claimant did not receive this notice until [REDACTED]
- (5) The application in question was never registered.

- (6) This application was never denied.
- (7) On [REDACTED], claimant filed a request for hearing.

CONCLUSIONS OF LAW

The State Disability Assistance (SDA) program which provides financial assistance for disabled persons is established by 2004 PA 344. The Department of Human Services (DHS or Department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

The Department is required to process all application. BAM 105.

In the current case, the Department testified on the record that the standard practice in some types of applications was to delay the registration of the application until all verification documents were received. Claimant has shown, through substantial evidence, that she did not receive a request for verification.

Regardless of whether claimant had an excuse for not returning the verifications in question, the Department was required to process the application in question. In the evidence packet, there is a request for medical verifications, with no application attached to it. This would not make sense, unless an application existed but was never registered. Therefore, the undersigned will accept claimant's testimony that she applied for SDA in October, 2010.

As claimant applied for benefits, and this application was never processed, the Department is required to process the application.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department's failure to process claimant's application was incorrect.

Accordingly, the Department's decision in the above stated matter is, hereby, REVERSED.

The Department is ORDERED to reregister claimant's SDA application in question back to [REDACTED] and process the application in a timely manner, as set forth in the Bridges Administrative Manuals.

[REDACTED]

Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 05/03/11

Date Mailed: 05/05/11

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 mailing 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.

RJC/dj

cc: [REDACTED]
Wayne County DHS (Dist #49) / DHS-1843
[REDACTED]
Administrative Hearings