

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

IN THE MATTER OF:

Issue

[REDACTED]

Reg. No.: 201123644
No.: 6019
Case No.: [REDACTED]
Load No.: [REDACTED]
Hearing Date: May 5, 2011
DHS County: Wayne County DHS (18)

ADMINISTRATIVE LAW JUDGE: Susan C. Burke

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 held on May 5, 2011. Claimant appeared and testified. [REDACTED] also appeared on behalf of Claimant. The Department of Human Services (Department) was represented by [REDACTED]

ISSUE

Was the Department correct in its denial of Claimant's Child Development and Care (CDC) application?

FINDINGS OF FACT

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

1. On February 22, 2011, Claimant applied for CDC.
2. Claimant's gross income for January was \$1,673.20.
3. Claimant was in a group size of two.
4. The Department denied Claimant's application due to gross income exceeding the limit.
5. Claimant requested a hearing on March 7, 2011, protesting the denial.

CONCLUSIONS OF LAW

The CDC 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 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 Program Reference Manual (PRM), which includes the Reference Table (RFT).

RFT 270 states that a CDC group of one or two must have gross monthly income of no more than \$1,607.00 to be eligible for Department assistance.

In the present case, Claimant's gross income of \$1,673.20 exceeded the gross income limit of \$1,607.00 for a group size of two. The Department was therefore correct in its denial of Claimant's CDC application. Claimant states that her income is now less than it was at the time of the application. Claimant may make a new application for CDC as her income decreases.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, finds that the Department was correct in its decision to deny Claimant's CDC application. Therefore, it is ORDERED that the Department's decision in this matter is hereby AFFIRMED.

/s/ _____
Susan C. Burke
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: May 13, 2011

Date Mailed: May 13, 2011

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.

201123644/SCB

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.

SCB/ctl

cc:

