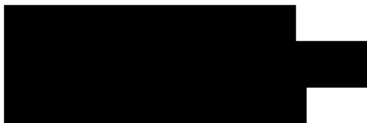


STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2011-25642
Issue No.: 1000, 2000
Case No.: [REDACTED]
Hearing Date: April 25, 2011
DHS County: Wayne (15)

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; M SA 16.437 upon the Claimant's request for a hearing. After due notice, a telephone hearing was held on April 25, 2011. The Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly close the Claimant's Family Independence Program (FIP) and Medical Assistance (MA)?

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 December 14, 2011, the Department sent the Claimant a notice of a scheduled interview as part of its redetermination process.
2. On February 1, 2011, the Department closed the Claimant's FIP and MA for not appearing for the scheduled redetermination appointment.
3. On January 28, 2011, the Claimant filed a request for a hearing.

CONCLUSIONS OF LAW

FIP was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 8 USC 601 *et seq.* The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10 *et seq.* and MAC R 400.3101-3131. FIP replaced the Aid to Dependent Children

(ADC) program effective October 1, 1996. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).


The client must obtain required verification, but you must assist if they need and request help.

If neither the client nor you can obtain verification despite a reasonable effort, use the best available information. If **no** evidence is available, use your best judgment. BAM 130, p. 3.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24. 278(2). In the instant case, the parties reached an accord. The Department agreed to reopen the Claimant's FIP and MA back to the date of closure, February 1, 2011.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds that the Department and Claimant have come to an agreement and ORDERS the Department to reopen the Claimant's FIP and MA back to the date of closure, February 1, 2011.



Michael J. Bennane
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: June 17, 2011

Date Mailed: June 17, 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.

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.

MJB/cl

cc:

