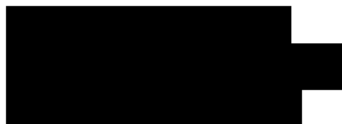


STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF THE CLAIM OF:



Reg. No.: 201128928  
Issue No.: 1000  
Case No.: [REDACTED]  
Hearing Date: May 9, 2011  
Wayne County DHS

**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 the Claimant's request for a hearing. After due notice, a telephone hearing was held on May 9, 2011. The Claimant was present and testified. The Department of Human Services (Department) was represented by [REDACTED], JET Case Manager.

**ISSUE**

Was the Department correct in decreasing Claimant's Family Independence (FIP) benefits?

**FINDINGS OF FACT**

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

1. Claimant was an ongoing recipient of FIP.
2. The Department decreased Claimant's FIP case benefits effective April 1, 2011, due to the income of [REDACTED].
3. [REDACTED] was no longer working as of April 4, 2011.
4. Claimant requested a hearing protesting the decrease in FIP benefits.

5. At the hearing, the Department agreed to recalculate Claimant's FIP benefits effective April 1, 2011 based on current information, so long as Claimant is compliant with work-related activities.
6. As a result of the agreement, Claimant indicated that she no longer wished to proceed with the hearing.

### **CONCLUSIONS OF LAW**

The Family Independence program (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 administers the FIP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3101-3131. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Under Bridges Administrative Manual Item 600, clients have the right to contest any agency decision affecting eligibility or benefit levels whenever they believe the decision is illegal. The Department provides an Administrative Hearing to review the decision and determine if it is appropriate. Department policy includes procedures to meet the minimal requirements for a fair hearing. Efforts to clarify and resolve the client's concerns start when the Department receives a hearing request and continues through the day of the hearing.

In the present case the Department has agreed to recalculate Claimant's FIP benefits with current information effective April 1, 2011, so long as Claimant is in compliance with work-related activities. As a result of this agreement, Claimant indicated she no longer wished to proceed with the hearing. Since the Claimant and the Department have come to an agreement, it is unnecessary for this Administrative Law Judge to make a decision regarding the facts and issues in this case.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing. Therefore, it is ORDERED that the Department recalculate Claimant's FIP benefits with current information, effective April 1, 2011 if Claimant is otherwise eligible, in accordance with the settlement. It is further

ORDERED that any missed or increased payments will be issued in the form of a supplement.



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



Date Signed: May 20, 2011

Date Mailed: May 20, 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 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.

SCB / hw

cc:   
Wayne County DHS (43)/ 1843  
  
Administrative Hearings