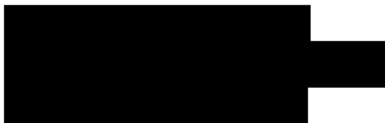


STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2011-29808  
Issue Nos.: 1000, 2000, 3000  
Case No.: [REDACTED]  
Hearing Date: May 12, 2011  
DHS County: Wayne (82-57)

**ADMINISTRATIVE LAW JUDGE:** Jan Leventer

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to Michigan Compiled Laws (MCL) 400.9 and 400.37 and Claimant [REDACTED] request for a hearing. After due notice, a telephone hearing was held on May 12, 2011. Claimant appeared and testified at the hearing. [REDACTED] appeared as a witness for Claimant. [REDACTED], appeared and testified on behalf of the Department of Human Services (DHS).

**ISSUE**

Whether Claimant has participated in the Jobs, Education and Training (JET) program, thereby qualifying her for Family Independence Program (FIP), Food Assistance Program (FAP) and Medical Assistance (MA or Medicaid) benefits?

**FINDINGS OF FACT**

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

1. In about January 2011, Claimant applied for FIP, FAP and MA benefits.
2. On January 28, 2011, Claimant was scheduled to attend the JET program.
3. Claimant failed to attend the JET program appointment.
4. On February 15, 2011, DHS closed Claimant's application.
5. On April 7, 2011, Claimant filed a request for a hearing with DHS.

6. At the Administrative Hearing on May 12, 2011, DHS agreed that it will reopen Claimant's FIP, FAP and MA application if she attends the JET program on Friday, May 13, 2011.
7. As a result of DHS' offer, Claimant testified that she agreed with DHS' action and she did not wish to continue the Administrative Hearing.

### **CONCLUSIONS OF LAW**

FIP was established by the U.S. Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 8 United States Code 601 *et seq.* DHS administers FIP pursuant to MCL 400.10 *et seq.* and Michigan Administrative Code Rules (MACR) 400.3101-400.3131. DHS' policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables (RFT). These manuals are available online at [www.michigan.gov/dhs-manuals](http://www.michigan.gov/dhs-manuals).

FAP was established by the U.S. Food Stamp Act of 1977 and is implemented by Federal regulations contained in Title 7 of the Code of Federal Regulations. DHS administers FAP pursuant to MCL 400.10 *et seq.* and Michigan Administrative Code Rules 400.3001-400.3015. DHS' policies are found in BAM, BEM and RFT. *Id.*

MA was established by Title XIX of the U.S. Social Security Act and is implemented by Title 42 of the U.S. Code of Federal Regulations. DHS administers MA pursuant to MCL 400.10 *et seq.* and MCL 400.105. DHS policies are found in BAM, BEM and RFT. *Id.*

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

In this case, the parties stipulated to a settlement agreement whereby DHS will reinstate Claimant's FIP, FAP and MA application upon verification that she attends the JET program on Friday, May 13, 2011. As the parties have reached an agreement, it is not necessary for the Administrative Law Judge to decide the issue presented in this case.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law and the agreement of the parties, states that IT IS ORDERED that DHS shall reinstate and reprocess Claimants FIP, FAP and MA application upon receipt of verification that she attends the JET program on Friday, May 13, 2011. DHS also agrees that if verification is received, Claimant shall receive all retroactive benefits to which she is entitled. All steps shall be taken in accordance with DHS policies and procedures.



---

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

Date Signed: May 16, 2011

Date Mailed: May 16, 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.

JL/pf

cc:

