

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2011-30252
Issue No.: 1000
Case No.: [REDACTED]
Hearing Date: May 18, 2011
DHS County: Wayne (82-15)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

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 conducted from Detroit, Michigan on Wednesday, May 18, 2011. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department of Human Services ("Department").

ISSUE

Whether the Department properly denied the Claimant's cash assistance ("FIP") application?

FINDINGS OF FACT

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

1. The Claimant is a food assistance ("FAP") recipient.
2. On or about January 13, 2011, the Claimant submitted a verification that her employment had ended.
3. On February 25, 2011, the Claimant submitted an application for public assistance seeking FIP benefits.
4. On March 26, 2011, the Claimant's FIP application was denied.
5. On April 11, 2011, the Department received the Claimant's timely written request for 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 Michigan Administrative Code Rules R400.3101-3131. FIP replaced the Aid to Dependent Children program effective October 1, 1996. Department policies are found in the Bridges Administrative Manual (“BAM”), the Bridges Eligibility Manual (“BEM”), and the Bridges Reference Manual (“BRM”).

In this case, in January 2011, the Claimant submitted a Verification of Employment establishing that she had lost her employment. Subsequently, on February 25, 2011, the Claimant submitted an application for FIP benefits again noting that she was unemployed. During the hearing, the Department agreed to reprocess the Claimant’s FIP application and recalculate the Claimant’s FAP benefits in light of the unemployment. In light of the accord, there is no other issue that needs to be addressed.

DECISION AND ORDER

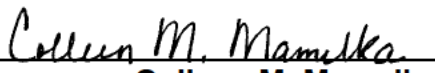
The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds the Department’s March 26, 2011, denial of FIP benefits is not upheld.

Accordingly, it is ORDERED:

1. The Department’s denial of the FIP application is not upheld.
2. The Department shall, as agreed, reprocess the Claimant’s February 25, 2011, FIP application in accordance with Department policy.
3. The Department shall, as agreed, recalculate the Claimant’s FAP benefits and notify the Claimant of the determination in accordance with Department policy.

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4. The Department shall notify the Claimant of the determinations in accordance with Department policy.
5. The Department shall supplement for lost benefits that the Claimant was entitled to receive if otherwise eligible and qualified in accordance with Department policy.



Colleen M. Mamelka
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: May 19, 2011

Date Mailed: May 24, 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.

CMM/pf

cc:

