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

## IN THE MATTER OF:



Reg. No. 201143005 Issue No. 2000

Case No.

Hearing Date: September 12, 2011

County: Eaton

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

## SETTLEMENT ORDER

This matter is before the undersigned Admini strative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claim ant's request for a hearing. After due notice, a telephone hearing was held on S eptember 12, 2011, in Detroi t, Michigan. Participant s on behalf of Claimant included cl aimant. Participant s on behalf of the Department of Human Services (Department) included

## **ISSUE**

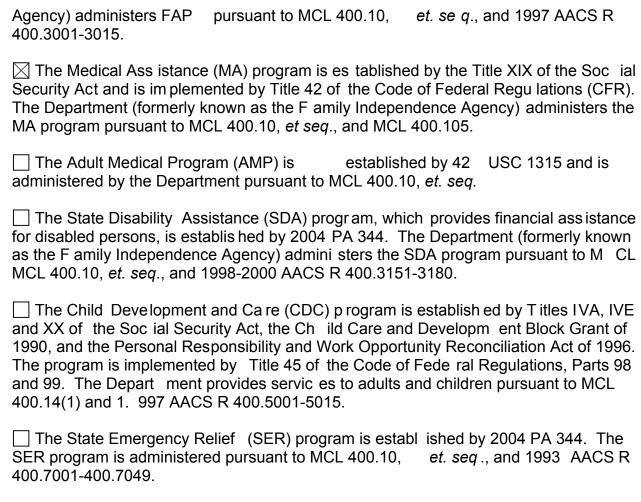
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Whether the Department properly:	
☐ denied Claimant's application for benefits ☐ closed Claimant's case for benefits ☐ reduced Claimant's benefits	
for:	
☐ Family Independence Program (FIP) ☐ Food Assistance Program (FAP) ☐ Medical Assistance (MA) ☐ Adult Medical Assistance (AMP)	☐ State Disability Assistance (SDA) ☐ Child Development and Care (CDC) ☐ State Emergency Services (SER)

On June 30, 2011, the Department:

1.

# **FINDINGS OF FACT**

	<ul> <li>□ denied Claimant's application for benefits</li> <li>□ closed Claimant's case for benefits</li> <li>□ reduced Claimant's benefits</li> </ul>
	under the following program(s):
	☐ FIP ☐ FAP ☒ MA ☐ AMP ☐ SDA ☐ CDC ☐ SER.
2.	On June 16,2011, the De partment sent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:
	☐ denial ☐ closure ☑ reduction.
3.	On June 27, 2011, Claim ant filed a request for hearing concerning the Department's action.
	CONCLUSIONS OF LAW
Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Relief Manual (ERM).	
The Family Independence Program (FIP) was established pursuant to the Persona Responsibility and W ork Opportunity Reconciliation Act of 1996, Public Law 104-193, 42 USC 601, et. seq. The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10, et. seq., and 1997 AACS R 400.3101-3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.	
☐ The Food Assistanc e Program (FAP) [fo rmerly known as the Food Sta mp (FS) program] is establis hed by the Food Stamp Act of 1977, as amended, and is mplemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (CFR). The Department (formerly known as the Family Independ ence	



The law pr ovides that disposition may be made of a contest ed case by s tipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant requested a hearing to dispute the Department's action. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: accept documentation of the claimant's spouse's income reduction; recalculate and adjust benefits if appropriate, and investigate why the claimant's Freedon to Work benefits were closed before the 24 month period and reinstate those benefits if appropriate.

As a result of this settlement, Claimant no longer wish es to proceed with the hearing. As such, it is unnec essary for this Admi nistrative Law Judge to render a decis ion regarding the facts and issues in this case.

## **DECISION AND ORDER**

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

### THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

- 1. Investigate why the claimant's Freedon to Work benefits were cl osed before the 24 month period and reinstate those benefits if appropriate.
- 2. Accept documentation of the claimant's spouse's inco me reduction; recalculate and adjust benefits if appropriate.

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

Date Signed: September 16, 2011

Date Mailed: September 16, 2011

**NOTICE**: Administrative Hearings may or der 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 Hear ings will not orde rarehearing 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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

#### MJB / cl

cc: