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

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Reg. No. 2011-47082

State Emergency Services (SER)

Issue No. 2000

Case No.

Hearing Date: November 14, 2011
County: Wayne County

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

Retro Medical Assistance (MA) coverage

Adult Medical Assistance (AMP)

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 November 14, 2011, in Detroit, Michigan. Participant s on behalf of Claim ant incl uded Claimant and Claimant's authorized r epresentative. Participants on behalf of the Department of Human Services (Department) included

ISSUE

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)

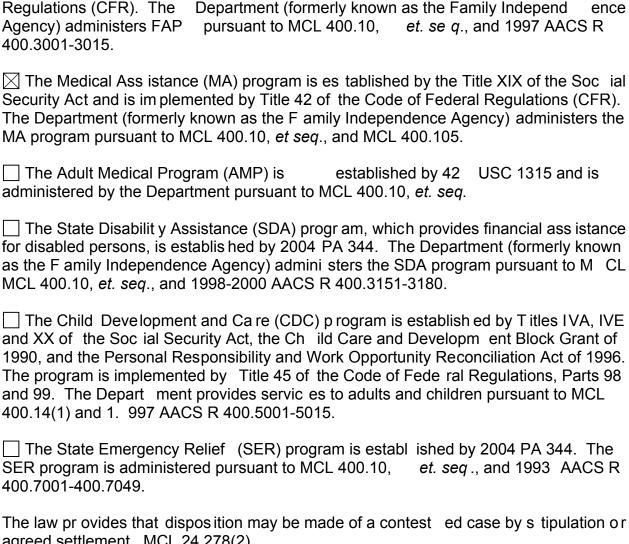
Child Development and Care (CDC)

FINDINGS OF FACT

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

1.	On an unknown date, the Department:	
	 ☑ denied Claimant's application for benefits ☐ closed Claimant's case for benefits ☐ reduced Claimant's benefits 	
	under the following program(s):	
	☐ FIP ☐ FAP ☐ Retro MA coverage ☐ AMP ☐ SDA ☐ CDC ☐ SER.	
2.	On an unknown date, the Department notified Claimant (or Claimant's Authorized Hearing Representative) of the:	
	☑ denial☐ closure☐ reduction.	
3.	On July 13, 2011, Cla imant 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).		
Respo 42 US Ageno 400.3	ne Family Independence Program (FIP) was established pursuant to the Personal consibility and W ork Opportunity Reconciliation Act of 1996, Public Law 104-193, SC 601, et. seq. The Department (formerly k nown as the Family Independence by) administers FIP pursuant to MCL 400.10, et. seq., and 1997 AACS R 101-3131. FIP r eplaced the Aid to Dependent Children (ADC) pr ogram effective er 1, 1996.	
The Food Assistanc e Program (FAP) [form erly known as the Food Stamp (FS) program] is establis hed by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal		

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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: provide full retro MA coverage to Claimant from October 1, 2010.

As a result of this settlement, Claimant no longer wish es to proceed with the hearing. As such, it is unnece essary for this Admi nistrative Law Judge to render a decise 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. Provide full retro MA coverage to Claimant from October 1, 2010.

Alice C. Elkin
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: 12/21/11

Date Mailed: 12/21/11

NOTICE: Michigan Administrative Hearing Syst em (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not order a rehearing or reconsideration on the Department's mo tion where the final decis ion cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

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Request must be submitted through the local DHS office or directly to MAHS by mail at Michigan Administrative hearings

Re consideration/Rehearing Request

P. O. Box 30639

Lansing, Michigan 48909-07322

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