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

IN THE MATTER OF:



Reg. No.: 2011-47346

Issue No.: 2012

Case No.:

Hearing Date: November 2, 2011

County: Wayne (76)

ADMINISTRATIVE LAW JUDGE: Michael J. Bennane

HEARING DECISION

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 2, 2011, from Detroit, Michigan. Participants on behalf of Claimant included of Department of Human Services (Department) included (ES).

ISSUE

Did the Department properly register and process the claimant's MA application?

FINDINGS OF FACT

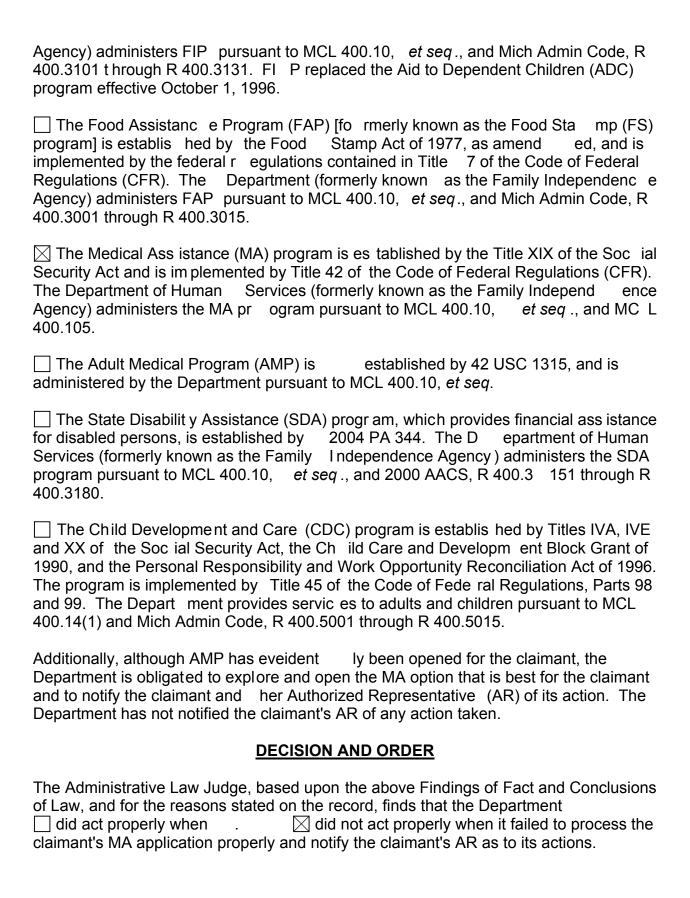
The Administrative Law Judge, based on t he competent, material, and substantial evidence on the whole record, finds as material fact:

- 1. On November 23, 2010, the claimant filed an application for MA.
- 2. The claimant's MA application list a spouse and two minor children.
- 3. The Department opened an AMP case for the claimant.

CONCLUSIONS OF LAW

Department policies are contained in the Br idges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).

	The Family	/ Indepe	endence	Program	(FIP) wa	s es	stablished purs	uant to th	ne Persona
Re	esponsibility	and W	ork Oppo	ortunity Re	econc ilia	atior	n Act of 1996,	Public La	w 104-193,
42	USC 601,	et seq.	The De	partment	(formerly	/ k	nown as the Fa	amily Inde	ependence



Accordingly, the Department's ∐ AMP ∐ FIP ∐ FAP ⊠ MA ∐ SDA ∐ CDC decision
is AFFIRMED 🕅 REVERSED for the reasons stated on the record.
oxtimes THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF
THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Re-register and proc ess the claimant's November 23, 2010, MA applic ation, and open the most advantageous MA program for the claimant and her MA group.

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

Date Signed: December 7, 2011

Date Mailed: December 7, 2011

NOTICE: Michigan Administrative Hearing S ystem (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.

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

Re consideration/Rehearing Request

e consideration/Renearing Request P. O. Box 30639

Lansing, Michigan 48909-07322

MJB/cl

