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

DEPARTMENT OF HUMAN SERVICES				
IN THE MATTER OF:				
	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2011-48650 3008 September 14, 2011 Macomb (50-20)		
ADMINISTRATIVE LAW JUDGE: Jan Leventer				
HEARING DECISION				
This matter is before the undersigned Administrative 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 Sept ember 14, 2011, from Detroit, Michigan. Participants on behalf of Claimant inclu ded Claim ant. Participants on behalf of Department of Human Servic es (Department) included Eligibility Specialist				
<u>ISSUE</u>				
Did the Departm ent properly $\ \ \ \ \ \ \ \ \ \ \ \ \ $				
Food Assistance Program (FAP)?		sistance (AMP)? ssistance (SDA)? ent and Care (CDC)?		
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. Cla imant ☐ applied for benefits ☒ received be	enefits for:			

☐ Adult Medical Assistance (AMP).☐ State Disability Assistance (SDA).☐ Child Development and Care (CDC).

☐ Family Independence Program (FIP).
 ☐ Food Assistance Program (FAP).
 ☐ Medical Assistance (MA).

2.	On September 1, 2011, the Department denied Claimant's application due to her failure to verify her son's income.	
3.	On July 25, 2011, the Department sent Claimant Claimant's Authorized Representative (AR) notice of the denial. Closure.	
4.	On August 4, 2011, Claimant filed a hearing request, protesting the ☐ denial of the application. ☐ closure of the case.	
CONCLUSIONS OF LAW		
	partment policies are contained in the Br idges Administrative Manual (BAM), the dges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).	
Re 42 Ag 31	The Family Independence Program (FIP) was established purs uant to the Personal sponsibility and W ork Opportunity Reconc iliation Act of 1996, Public Law 104-193, USC 601, et seq. The Department (formerly k nown as the Family Independence ency) administers FIP pursuant to MCL 400.10, et seq., and 1997 AACS R 400.3101-31. FI P replac ed the Aid to Depe ndent Children (ADC) program effective stober 1, 1996.	
pro imp Re Ag	The Food Assistanc e Program (FAP) [fo rmerly known as the Food Sta mp (FS) ogram] is establis hed by the Food St amp Act of 1977, as amended, and is plemented by the federal regulations contained in Title 7 of the Code of Federal egulations (CFR). The Department (formerly known as the Family Independence ency) administers FAP pur suant to MCL 400. 10, et seq., and 1997 AACS R 0.3001-3015.	
Se Th Ag	The Medical Ass istance (MA) program is es tablished by the Title XIX of the Soc ial curity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). e Department of Human Se rvices (formerly known as the Family Independ ence ency) administers the MA program pursuant to MCL 400.10, et seq., and MC L0.105.	
	The Adult Medical Program (AMP) is established by 42 USC 1315, and is ministered by the Department pursuant to MCL 400.10, <i>et seq</i> .	
for Se	The State Disabilit y Assistance (SDA) program, which provides financial assistance disabled persons, is established by 2004 PA 344. The D epartment of Human rvices (formerly known as the Family Independence Agency) administers the SDA ogram pursuant to MCL 400.10, et seq., and 1998-2000 AACS R 400.3151-400.3180.	
	The Child Development and Care (CDC) program is establishhed by Titles IVA, IVE d XX of the Soc ial Security Act, the Child Care and Development Block Grant of	

1990, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The program is implemented by Title 45 of the Code of Fede ral Regulations, Parts 98 and 99. The Depart ment provides servic es to adults and children pursuant to MCL 400.14(1) and 1997 AACS R 400.5001-5015.

Additionally, the Claimant a cknowledged her failure to veri fy her son's employment status and also her new employment status as a part-time employee. She testified that she under stood the Department's action in her case and requested that the Administrative Law Judge dismiss her case.

Based upon the abov e Findings of Fact and Co nclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department		
 □ properly denied Claimant's application □ improperly denied Claimant's application □ improperly closed Claimant's case 		
for: AMP FIP FAP MA SDA CDC.		
DECISION AND ORDER		
The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department \square did act properly. \square did not act properly.		
Accordingly, the Department's \square AMP \square FIP \boxtimes FAP \square MA \square SDA \square CDC decision is \boxtimes AFFIRMED \square REVERSED for the reasons stated on the record.		
☐ THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:		
Jan Goenen		

Administrative Law Judge for Maura Corrigan, Director

Jan Leventer

Department of Human Services

Date Signed: September 14, 2011

Date Mailed: September 14, 2011

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 or der 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.

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.

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 P.O. Box 30639
Lansing, Michigan 48909-07322

JL/pf

