

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

[REDACTED]

ADMINISTRATIVE LAW JUDGE: [REDACTED]

HEARING DECISION

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37. Claimant's request for a hearing was received on [REDACTED]

[REDACTED].

ISSUE

Whether the Department of Human Services (Department) properly determined the Claimant's Child Development and Care (CDC) eligibility?

FINDINGS OF FACT

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

1. The Claimant applied for Child Development and Care (CDC) benefits on [REDACTED]
2. The Department sent the Claimant a Verification of Employment form on [REDACTED] with a due date of [REDACTED]
3. The Department denied the Claimant's application for [REDACTED] and Care (CDC) benefits [REDACTED]
4. The Department received the Claimant's request for a hearing on [REDACTED]

CONCLUSIONS OF LAW

The Child Development and Care program is established by Titles IVA, IVE, and XX of the Social Security Act, the Child Care and Development Block Grant of 1990, and the Personal Responsibility and [REDACTED]. The program is implemented by Title 45 of the Code of Federal Regulations, Parts 98 and 99. The Department of Human Services (DHS or Department) provides services to adults and children pursuant to MCL 400.14(1) and MAC R 400.5001-5015. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), Reference Table Manual (RFT), and the Bridges Reference Manual (BRM).

There are four valid Child Development and Care (CDC) need reasons. Each parent/substitute parent of the child needing care must have a valid need reason during the time child care is requested. Each need reason must be verified and exists only when each parent/substitute parent is unavailable to provide the care because of:

- Family preservation.
- High school completion.
- An approved activity.
- Employment. BEM 703.

The Claimant submitted a CDC application on [REDACTED]. The Department sent the Claimant a Verification of Employment form on [REDACTED]. The Claimant returned this form and reported that her employment had ended. The Department denied the Claimant's application for CDC benefits on [REDACTED] for lack of a verified need.

The Claimant testified that she assumed the subject matter of the hearing scheduled for [REDACTED] was expungement. The Claimant's request for a hearing indicates that she requested a hearing protesting the Department's actions concerning the Child Development and Care (CDC) program.

The Claimant failed to establish that he was eligible to receive Child Development and Care (CDC) benefits.

The Department has established that it acted properly when it denied the Claimant's application for Child Development and Care (CDC) benefits for lack of verified need.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department acted in accordance with policy in determining the Claimant's Child Development and Care (CDC) eligibility.

The Department's Child Development and Care (CDC) eligibility determination is AFFIRMED. It is SO ORDERED.

_____/s/_____


Date Signed: ___4/11/11_____

Date Mailed: __4/11/11_____

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 60 days of the filing of the original request.

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

