

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 20111879  
Issue No.: 2000; 3000  
Case No.: [REDACTED]  
Load No.: [REDACTED]  
Hearing Date: December 2, 2010  
Office: Wayne County DHS (76)

**ADMINISTRATIVE LAW JUDGE:** Christian Gardocki

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the claimant's request for a hearing. After due notice, a telephone hearing was held on December 2, 2010. The claimant appeared and testified. On behalf of Department of Human Services (DHS), [REDACTED], Manager, appeared and testified.

**ISSUE**

Whether DHS properly failed to register an application dated 7/28/10 requesting Food Assistance Program (FAP) and Medical Assistance (MA) benefits.

**FINDINGS OF FACT**

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

1. On 7/28/10, Claimant, through Claimant's representative, submitted an application requesting FAP and MA benefits.
2. DHS failed to register the application on Bridges, the DHS database.
3. On 10/7/10, Claimant requested a hearing disputing the failure by DHS to recognize and register Claimant's request for FAP and MA benefits.
4. DHS now concedes that they neglected to register Claimant's application.

**CONCLUSIONS OF LAW**

The Food Assistance Program (formerly known as the Food Stamp Program) is established 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 Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the FAP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3001-3015. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

For all programs, an application or filing form, with the minimum information, must be registered on Bridges (the DHS database) unless the client is already active for that program. BAM 110 at 6. Applications are to be registered within one workday for all requested programs. *Id* at 16.

In the present case, it was not disputed that Claimant submitted an application to DHS on 7/28/10. It was also not disputed that DHS failed to register the application within one workday. DHS conceded that they neglected to timely register the application. DHS agreed that the application should be registered and processed in accordance with DHS regulations. Claimant was in agreement with this resolution. The undersigned is inclined to accept this settlement agreement as it appears to be in compliance with DHS regulations.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law and by agreement of the parties, finds that DHS improperly failed to register Claimant's application dated 7/28/10 requesting FAP and MA benefits. It is ordered that DHS register Claimant's application for 7/28/10 and to process the application in accordance with DHS regulations. The actions taken by DHS are REVERSED.



---

Christian Gardocki  
Administrative Law Judge  
For Ismael Ahmed, Director  
Department of Human Services

20111879/CG

Date Signed: 12/8/2010

Date Mailed: 12/8/2010

**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.

CG/hw

cc:

A large black rectangular redaction box covers the names and email addresses of the recipients listed under the 'cc:' field.