

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

IN THE MATTER OF:

[REDACTED]

Reg. No:

Issue No:

Hearing Date:
Lansing AH

201121722

6004

April 21, 2011

ADMINISTRATIVE LAW JUDGE: Janice G. Spodarek

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon petitioner's request for a hearing. After due notice, an in-person hearing was held on April 21, 2011. The department was represented [REDACTED] for the Adoption Subsidy Program, non-attorney.

ISSUE

Did the Petitioner and the department come to an agreed upon settlement?

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 February 2, 2010, Petitioner requested a hearing with regards to her adopted son whose date of birth is [REDACTED]
2. Petitioner requests payment for previously denied outpatient psychotherapy services.
3. The department and Petitioner subsequently came to an agreed upon settlement with regards to the payment of these services, as set forth herein.

CONCLUSIONS OF LAW

The Adoption Subsidy program is established by MCL 400.115, *et seq.*, and is administered by the Department of Human Services (DHS or department) pursuant to MCL 400.10, *et seq.* Department policies regarding adoption subsidy are found in the

Services Manual (SM). The federal law upon which Michigan law is based is Title IV-E of the Social Security Act, Section 473(c).

MCL 24.278(2) allows for disposition to be made of a contested case hearing by stipulation or agreed upon settlement. The undersigned Administrative Law Judge was informed after the evidentiary hearing by both the department's representative and Petitioner that an agreed upon settlement was reached between the parties with regards to claimant's son's outpatient psychotherapy services previously denied (date of birth [REDACTED]). Pursuant to a May 31, 2011 memorandum, the DHS agrees to process payment for Petitioner's son as to the previously denied psychotherapy services.

DECISION AND ORDER

The Administrative Law Judge, based upon the agreed upon settlement, ORDERS the department to initiate the actions as set forth in the settlement as specified in the department's memorandum of May 31, 2011 where the DHS agrees to process payment to Petitioner for the psychotherapy services.

/s/

Janice G. Spodarek
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: August 2, 2011

Date Mailed: August 3, 2011

NOTICE: The law provides that within 60 days of mailing of the above Decision and Order the claimant may appeal the Decision to the probate court for the county in which the petition for adoption was filed. If the adoptee is a resident of the State, the petition may be filed in the probate court for the county in which the adoptee is found. Administrative Hearings, on its own motion, or on request of a party within 60 days of the mailing date of this Decision and Order, may order a rehearing.

JGS/db

cc: [REDACTED]