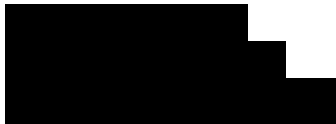


STATE OF MICHIGAN  
MICHIGAN ADMINISTRATIVE HEARING SYSTEM  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2011-34036  
Issue No.: 2026, 3002  
Case No.: [REDACTED]  
Hearing Date: June 15, 2011  
DHS County: Macomb (20)

**ADMINISTRATIVE LAW JUDGE:** Michael J. Bennane

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; MSA 16.409 and MCL 400.37; MSA 16.437, upon the claimant's request for a hearing. After due notice a telephone hearing was held in Detroit, Michigan on June 15, 2011. The claimant appeared and testified.

**ISSUE**

Did the Department properly figure his Medical Assistance (MA) deductible and his Food Assistance (FAP) benefit?

**FINDINGS OF FACT**

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

1. The Department began a redetermination due in March 2011.
2. The Department determined that the claimant was no longer eligible for full MA and began an MA deductible of \$641 per month for him. As part of the redetermination, the Department also lowered the claimant's FAP to \$16 per month.
3. On March 7, 2011, the claimant filed a request for a hearing protesting the deductible amount for his MA and the reduction in his FAP.

**CONCLUSIONS OF LAW**

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 MC L 400.105. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

The Food Assistance Program (FAP) (formerly known as the Food Stamp (FS) 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 Bridges Reference Manual (BRM).

In the instant case, the claimant questions the Department's calculation of his MA and FAP benefits.

The undersigned has reviewed the MA budget and found it to be correct. The protected income limit is \$408 per month for a group of one in Macomb County. The claimant's countable income is \$1,049 per month. This equals the \$641 deductible. (RFT 240.)


Similarly, this Administrative Law Judge has reviewed the claimant's FAP budget and found it to be correct as well. The claimant's adjusted gross income for FAP is \$1,000 per month. This allows a monthly FAP benefit of \$16 per month.

This Administrative Law Judge sympathizes with the claimant but there is nothing that can be done to change the above equations.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, AFFIRMS the Department's actions in the instant case.

Michael  
Administrative  
for  
Department

  
\_\_\_\_\_  
J. Bennane  
Law Judge  
Maura Corrigan, Director  
of Human Services

Date Signed: August 2, 2011

Date Mailed: August 2, 2011

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

MJB/cl

cc:

A large black rectangular redaction box covering several lines of text in the cc field.