


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

IN THE MATTER OF:



Reg. No.: 2011-40485
Issue No.: 6019
Case No.: 
Hearing Date: August 22, 2011
DHS County: Wayne (57)

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; M SA 16.437 upon the claimant's request for a hearing. After due notice a telephone hearing was held from Detroit, Michigan on August 22, 2011. The claimant personally appeared and testified.

ISSUE

Did the Department of Human Services (Department) properly calculate the claimant's Child Care (CDC) application?

FINDINGS OF FACT

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

1. On February 11, 2011, the claimant filed an application for CDC.
2. On February 11, 2011, the Department sent the claimant a verification request for the provider's verification, and an application for an unlicensed provider. Neither was returned.
3. On March 10, 2011, the Department denied the claimant's CDC application.
4. On June 2, 2011, the claimant filed a request for a hearing.

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 Work Opportunity Reconciliation Act of 1996. The program is implemented by Title 45 of the Code of Federal Regulations, Parts 98 and 99. The Department of Human Services (formerly known as the Family Independence Agency) provides services to adults and children pursuant to MCL 400.14(1) and MAC R 400.5001-5015.

Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Bridges Reference Manual (BRM).

Within 10 workdays of receiving the DHS-220 and all required verifications, the local office must:

Review the provider application to determine if the provider applicant has self reported a crime.

Complete all background clearances (central registry, ICHAT, OTIS, PSOR, NSOPR, FILL) on the provider and all adult household members at the provider's address, regardless of where the care is provided. Record results on the DHS-4661-P, Child Care (CDC) Request for Criminal History and Central Registry Clearance.

Determine eligibility of the provider applicant.

Enroll the provider in Provider Management; see the DHS Net for the [Provider Management](#) training.

If the provider is eligible to be enrolled, Bridges will send a DHS-4481-D, CDC Unlicensed Provider Confirmation, to the provider. Once the provider is authorized to provide care, Bridges will send the DHS-198 Child Development and Care Provider Certificate/Notice of Authorization to the provider. The client will receive a DHS-198-C, Child Development and Care Client Certificate/Notice of Authorization. (BEM 704, pp.5-6).

In the instant case the claimant was provided with the proper forms for her prospective provider to complete in order for the provider to provide child care for the claimant's child. The forms were never completed and returned. This Administrative Law Judge finds that the Department correctly denied the claimant's CDC.

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: September 8, 2011

Date Mailed: September 8, 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:

