

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

IN THE MATTER OF:



Reg. No.: 201141595
Issue No.: 5034
Case No.: [REDACTED]
Hearing Date: August 31, 2011
Macomb County DHS (12)

ADMINISTRATIVE LAW JUDGE: Andrea J. Bradley

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on August 31, 2011. Claimant participated and testified. The participants on behalf of the Department of Human Services (Department) included Melvin Logan, Eligibility Specialist, and Erica Johnson, Assistance Payment worker.

ISSUE

Did the Department properly deny Claimant's application for Direct Support Services?

FINDINGS OF FACT

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

1. Claimant applied for Direct Support Services (DSS) benefits.
2. On January 13, 2011, the Department denied Claimant's application for DSS due to Claimant being ineligible for a vehicle purchase since she borrowed the money and purchased the vehicle on her own.
3. On January 13, 2011, the Department sent notice of the denial to Claimant.
4. On January 25, 2011, Claimant filed a hearing request, protesting the denial of the application.

CONCLUSIONS OF LAW

Direct Support Services (DSS) are goods and services provided to help families achieve self-sufficiency. Direct Support Services include Employment Support Services (ESS) and Family Support Services (FSS). There is no entitlement for DSS. The decision to authorize DSS is within the discretion of the DHS or the MWA.


The Department testified that there was a preliminary approval for the DSS vehicle purchase; however, the Claimant borrowed the money from another source and purchased the vehicle before the DSS vehicle purchase was final.

Based upon the above Findings of Fact, the Administrative Law Judge concludes that the Department properly denied the Claimant's application for Direct Support Services.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, finds that the Department did act according to Department policy when it denied the Claimant's application for DSS vehicle purchase.

Accordingly, the Department's decision is AFFIRMED for the reasons stated on the record.



Andrea J. Bradley
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: 09/28/11

Date Mailed: 09/29/11

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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.

AJB/dj

CC:

