

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: 2011709
Issue No: 2000, 3008
Case No: [REDACTED]
Load No: [REDACTED]
Hearing Date:
November 1, 2010
Ingham County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon claimant's request for a hearing. After due notice, a hearing was held on November 1, 2010. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly deny Claimant's July 2, 2010 application for Medical Assistance (MA) for her children because they already had coverage?

Did the Department of Human Services properly deny Claimant's July 2, 2010 application for Food Assistance Program (FAP) benefits due to failure to provide required income verification?

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 July 2, 2010 Claimant submitted an application for Medical Assistance (MA) for four of her children and Food Assistance Program (FAP) benefits. Claimant's four children were already eligible for Medical Assistance (MA) on a different Department of Human Services case.

- (2) On July 8, 2010 Claimant was sent a Notice of Case Action (DHS-1605) stating her application for the children's Medical Assistance (MA) was denied because they were eligible on a different Department of Human Services case. Claimant was also sent a Verification Checklist (DHS Form 3503) requesting 30 days of income verification for herself and her husband.
- (3) On July 26, 2010 Claimant submitted a request for hearing about both Medical Assistance (MA) and Food Assistance Program (FAP) benefits.
- (4) On August 10, 2010 the Department had only received verification for 2 weeks of Claimant's husband's income. Claimant was sent a Notice of Case Action (DHS-1605) stating her application for Food Assistance Program (FAP) benefits was denied for failure to provide required verifications.

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 (DHS or department) 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 Program Reference Manual (PRM).

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 (DHS or department) 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 Program Reference Manual (PRM).

In this case Claimant does not assert the Department did anything wrong by denying her application.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly denied Claimant's July 2, 2010 application for Medical Assistance (MA) and Food Assistance Program (FAP) benefits.

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHeld.

/s/ _____
Gary F. Heisler
Administrative Law Judge
for Ismael Ahmed, Director
Department of Human Services

Date Signed: November 3, 2010

Date Mailed: November 4, 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.

GFH/vc

cc:

