

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES  
ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2011-9802  
Issue Nos.: 2000, 3000  
Case No.: [REDACTED]  
Hearing Date: January 6, 2011  
DHS County: Wayne (82-17)

**ADMINISTRATIVE LAW JUDGE:** Susan C. Burke

**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 telephone hearing was held on January 6, 2011. Claimant appeared and testified. [REDACTED] testified on behalf of the Department of Human Services (Department).

**ISSUE**

Did the Department properly close claimant's Medical Assistance (MA) and Food Assistance Program (FAP) cases?

**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 November 19, 2010, the Department closed Claimant's cases for MA and FAP because Claimant's review packet was not received for redetermination.
2. On November 24, 2010, Claimant requested a hearing.
3. At the hearing, the Department agreed to assist Claimant with her applications for MA and FAP on January 6, 2011, and to process Claimant's applications for MA and FAP of January 6, 2011.
4. As a result of this agreement, Claimant indicated that she no longer wished to proceed with the hearing.

**CONCLUSIONS OF LAW**

The MA program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The 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).

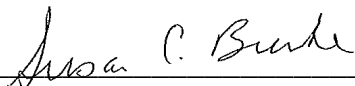
FAP [formerly known as the Food Stamp (FS) program] is established by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (CFR). The Department administers FAP pursuant to CML 400.10 *et seq.*, and MAC R 400.3001-3015. Department policies are found in BAM, BEM and PRM.

BAM 210 dictates that a redetermination is required at least every twelve months. Clients must cooperate with the local DHS office in obtaining verification for determining initial and ongoing eligibility. BAM 130, p. 1.

In the present case, the department agreed to assist claimant in applying for MA and FAP on January 6, 2011, and to process claimant's MA and FAP applications of January 6, 2011. As a result of this agreement, Claimant indicated she no longer wished to proceed with the hearing. Since Claimant and the Department have come to an agreement, it is unnecessary for this Administrative Law Judge to make a decision regarding the facts and issues in this case.

**DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing. Therefore, it is ORDERED that the Department assist Claimant in applying for MA and FAP on January 6, 2011, and to process Claimants MA and FAP applications of January 6, 2011, in accordance with this settlement agreement.

  
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Susan C. Burke  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: January 11, 2011

2011-9802/SCB

Date Mailed: January 18, 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.

SCB/pf

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