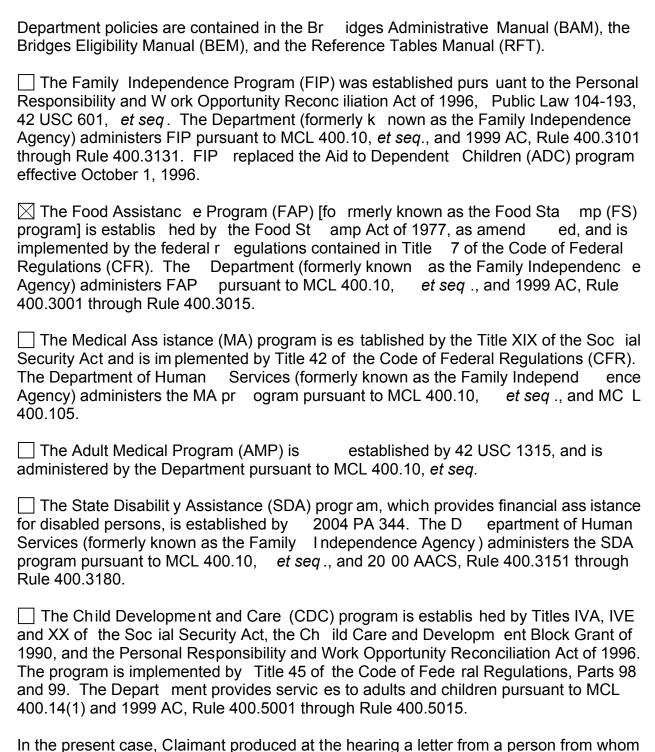
STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

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	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2012-17167 3002 February 9, 2012 Macomb (20)				
ADMINISTRATIVE LAW JUDGE: Susan C. I						
HEARING D	ECISION					
This matter is before the undersigned Administrated MCL 400.37 following Claim ant's requestelephone hearing was held on F ebruary 9, 2 on behalf of Claimant included Claimant. Further Human Services (Department) included	est for a hearing. Afte 2012, from Detroi t, Mi	er due notice, a				
<u>ISSU</u>	<u>'E</u>					
Did the Department properly	ant's applic ation 🛚	calc ulate Claimant's				
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐ Medical Assistance (MA)?		sistance (AMP)? Assistance (SDA)? ent and Care (CDC)?				
FINDINGS (OF FACT					
The Administrative Law Judge, based on t evidence on the whole record, finds as materi	he competent, materi al fact:	al, and substantial				
1. Cla imant ☐ applied for benefits ⊠ received benefits for:						
☐ Family Independence Program (FIP).☐ Food Assistance Program (FAP).☐ Medical Assistance (MA).	State Disability	ssistance (AMP). Assistance (SDA). ent and Care (CDC).				

2. On December 2, 2011, Claimant filed a hearing request, protesting the Calculation of the FAP benefits.

CONCLUSIONS OF LAW



he had been receiving income stating that

the person would no longer be giv

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Claimant the income. Claimant at the hearing said he thought he had mailed that letter to the Department, but the Department ha d no record of it, and Cla imant could not specify when and to whom the letter was mailed. The Department had included the income (\$250.00) per month in Claimant's budget through F ebruary of 2012. Without receiving the verification of the reduction in income, the Department was therefore correct in including the income in Claimant's FAP budget.

Based upon the abov e Findings of Fact and Co nclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department Properly calculated benefits for:
☐ AMP ☐ FIP ☒ FAP ☐ MA ☐ SDA ☐ CDC.
It is also noted that Claimant stated at the hearing that he no longer requested a hearing on Medicaid, as his coverage was active in that program.
DECISION AND ORDER
The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department \square did not act properly.
Accordingly, the Department's \square AMP \square FIP \boxtimes FAP \square MA \square SDA \square CDC decision is \boxtimes AFFIRMED \square REVERSED for the reasons stated on the record.
Jusa (. Burke
Susan c. Burke

Administrative Law Judge

for Maura Corrigan, Director Department of Human Services

Date Signed: <u>2/15/12</u>

Date Mailed: 2/15/12

NOTICE: Michigan Administrative Hearing Syst em (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not or der a rehearing or reconsideration on the Department's mo tion where the final decis ion cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at Michigan Administrative Hearings

Re consideration/Rehearing Request P. O. Box 30639 Lansing, Michigan 48909-07322

SCB/sm

