## 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:	2012-23842 2000 April 5, 2012 Oakland (63-02)				
ADMINISTRATIVE LAW JUDGE: Jan Leventer						
SETTLEMENT ORDER						
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 hearing was held on April 5, 2012, in Madison Heights, Michigan. Participants on behalf of Claimant included  Claimant included  Participants on behalf of the Department of Human Services (Department) included  ISSUE						
Whether the Department properly:						
<ul> <li>         □ processed Claimant's application for benefits         □ closed Claimant's case for benefits         □ reduced Claimant's benefits     </li> </ul>						
for:						
☐ Family Independence Program (FIP)?☐ Food Assistance Program (FAP)?☐ Medical Assistance (MA)?☐ Adult Medical Assistance (AMP)?	Child Developme	Assistance (SDA)? ent and Care (CDC)? y Services (SER)?				

## **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 February 16, 2012, Claimant applied for benefits under the following programs:							
	☐ FIP ☐ FAP ☒ MA ☐ AMP ☐ SDA ☐ CDC ☐ SER.							
2.	The Department did not process Claimant's application.							
3.	On November 7, 2011, Claimant filed a request for hearing concerning the Department's lack of action.							
	CONCLUSIONS OF LAW							
Eli	epartment policies are found in the Bridges Administrative Manual (BAM), the Bridges gibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency elief Manual (ERM).							
Re 42 Ag thr	The Family Independence Program (FIP) was established pursuant to the Personal esponsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, USC 601, et seq. The Department (formerly known as the Family Independence jency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 400.3101 rough Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program fective October 1, 1996.							
pro im Re Ag	The Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) ogram] is established by the Food Stamp Act of 1977, as amended, and is plemented by the federal regulations contained in Title 7 of the Code of Federal egulations (CFR). The Department (formerly known as the Family Independence pency) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 0.3001 through Rule 400.3015.							
Se Th Ag	The Medical Assistance (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 of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, et seq., and MCL 400.105.							
	The Adult Medical Program (AMP) is established by 42 USC 1315, and is ministered by the Department pursuant to MCL 400.10, et seq.							
for Se pro	The State Disability Assistance (SDA) program, which provides financial assistance disabled persons, is established by 2004 PA 344. The Department of Human ervices (formerly known as the Family Independence Agency) administers the SDA ogram pursuant to MCL 400.10, et seq., and 2000 AACS, Rule 400.3151 through alle 400.3180.							
	☐ The Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, the Child Care and Development Block Grant o							

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 provides services to adults and children pursuant to MCL 400.14(1) and 1999 AC, Rule 400.5001 through Rule 400.5015.

The State Emergency Relief (SER) program is established by 2004 PA 344. The SER program is administered pursuant to MCL 400.10, *et seq.*, and by 1999 AC, Rule 400.7001 through Rule 400.7049. Department policies are found in the State Emergency Relief Manual (ERM).

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant requested a hearing to dispute the Department's lack of action. Soon after commencement of the hearing, the parties testified that they had reached a settlement. Consequently, the Department agreed to do the following: process Claimant's MA application and issue a written notification to Claimant of the action taken by the Department..

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

## **DECISION AND ORDER**

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

## THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

- 1. Initiate procedures to process Claimant's application;
- 2. Initiate procedures to issue timely written notification to Claimant stating the Department's approval, denial or other action in this case.
- 3. All steps shall be taken in accordance with Department policy and procedure.

Jan Leventer

Administrative Law Judge for Maura Corrigan, Director Department of Human Services

Jan

Date Signed: April 12, 2012

Date Mailed: April 12, 2012

**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. (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 timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

