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

IN THE MAT	TER OF:	Reg. No: Issue No:	201227426 3008
		Case No: Hearing Date: Kalamazoo Cou	April 10, 2012 inty DHS
ADMINISTR	ATIVE LAW JUDGE: Corey A. Arendt		
	HEARING DECISION	<u>ON</u>	
and MCL 4 telephone h Participants	s before the undersigned Administrative 00.37 following Claimant's request for earing was held on Tuesday, April on behalf of Claimant included of Human Services (Department) included	or a hearing. A 10, 2012, from L Particip	fter due notice, a
	ISSUE		
	ailure to comply with the verification deny Claimant's application ⊠ close Cl		
☐ Family Independence Program (FIP)? ☐ State Disability Assistance (SDA)? ☐ Child Development and Care (CDC)? ☐ Medical Assistance (MA)?			
	FINDINGS OF FA	СТ	
The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, including testimony of witnesses, finds as material fact:			
1.	Claimant ☐ applied for ☒ was rece☐CDC.	iving: □FIP ⊠F	FAP □MA □SDA
2.	On November 2, 2011, the Claimant verification checklist (DHS-3503).	⊠ was □ was n	ot provided with a
3.	Claimant was required to sub November 14, 2011.	omit requested	verification by
4.	On December 1, 2011 the Departmen ☐ closed Claimant's case ☐ reduce submit verification in a timely manner.		

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5.	On November 15, 2011, the Department sent notice of the denial of Claimant's application. Claimant's case. reduction of Claimant's benefits.
6.	On January 23, 2012, Claimant filed a hearing request, protesting the ☐ denial. ☐ closure. ☐ reduction.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

The 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 (formerly known as the Family Independence Agency) administers FAP pursuant to MCL 400.10, *et seq.*, and 1999 AC, R 400.3001 through Rule 400.3015.

Based on the testimony provided, I find the Claimant timely received the verification checklist but at no time complied with the Department's request for verifications. I find it unlikely that the Claimant did not receive the verification checklists as the Claimant had no prior issues receiving his mail and had received all prior and future mailings. In addition, I find it interesting that the Claimant had a prior issue for failing to comply with a verification request.

Therefore, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, I conclude the Department properly closed Claimant's FAP case.

DECISION AND ORDER

I find based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, the Department did act properly.

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

<u>/s/</u>
Corey A. Arendt

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

Date Signed: April 11, 2012

Date Mailed: April 12, 2012

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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 receipt 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.

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

CAA/tb

