# 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:	2012-27523 3000 March 28, 2012 Oakland (63-03)
ADMINISTRATIVE LAW JUDGE: Robert J. C	Chavez	
<u>SETTLEMEN</u>	T ORDER	
This matter is before the undersigned Administration and MCL 400.37 following Claimant's request person hearing was held on March 28, 2012 behalf of Claimant included behalf of the Department of Human Services (ISSU)	st for a hearing. Af , from Detroit, Michig	ter due notice, a ingan. Participants on Participants on
Whether the Department properly:		
☐ denied Claimant's application for benefits ☐ closed Claimant's case for benefits ☐ reduced Claimant's benefits		
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 January 5, 2012, the Department:

	<ul> <li>☐ denied Claimant's application for benefits</li> <li>☐ closed Claimant's case for benefits</li> <li>☐ reduced Claimant's benefits</li> </ul>
	under the following program(s):
	☐ FIP ☐ FAP ☐ MA ☐ AMP ☐ SDA ☐ CDC ☐ SER.
2.	On January 5, 2012, the Department sent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:
	☐ denial ☐ closure ☐ reduction.
3.	On January 17, 2012, Claimant filed a request for hearing concerning the Department's action.
	CONCLUSIONS OF LAW
Eligibi	tment policies are found in the Bridges Administrative Manual (BAM), the Bridges lity Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Manual (ERM).
Respo 42 US Ageno throug	e Family Independence Program (FIP) was established pursuant to the Personal onsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, SC 601, et seq. The Department (formerly known as the Family Independence by) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 400.3101 ph Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program we October 1, 1996.
progra impler Regul Ageno	ne Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) am] is established by the Food Stamp Act of 1977, as amended, and is mented by the federal regulations contained in Title 7 of the Code of Federal ations (CFR). The Department (formerly known as the Family Independence by) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 2001 through Rule 400.3015.
Secur	e Medical Assistance (MA) program is established by the Title XIX of the Social ity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). Department of Human Services (formerly known as the Family Independence by) administers the MA program pursuant to MCL 400.10, et seq., and MCL 05.
	ne Adult Medical Program (AMP) is established by 42 USC 1315, and is istered by the Department pursuant to MCL 400.10, et seq.

☐ The State Disability Assistance (SDA) program, which provides financial assistance for disabled persons, is established by 2004 PA 344. The Department of Human Services (formerly known as the Family Independence Agency) administers the SDA program pursuant to MCL 400.10, et seq., and 2000 AACS, Rule 400.3151 through Rule 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 of 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, <i>et seq.</i> , 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 action. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: recalculate the FAP budget from July 2011 to current, based on all income, profits, and expenses of claimant's household and business, as supplied by claimant.

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. Recalculate the FAP budget from July, 2011 to current, based on all income, profits, and expenses of claimant's household and business, as supplied by the claimant.

Robert J. Chavez
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: March 29, 2012

Date Mailed: March 29, 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.

### RJC/pf

