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

IN THE MATTER OF:		Reg. No: Issue No:	201229384 2012				
		Case No: Hearing Date: Wayne County					
ADMINISTR	ATIVE LAW JUDGE: Kevin Scully						
	HEARING DE	CISION					
and MCL 4 telephone h Participants	is before the undersigned Administr 00.37 following Claimant's request learing was held on Tuesday, M on behalf of Claimant included of Human Services (Department) in	st for a hearing. A lay 15, 2012 from l Partici	fter due notice, a				
	ISSUE						
	ss assets, did the Department propimant's case for:	perly 🛛 deny the Cla	imant's application				
_	ndependence Program (FIP)? Assistance (MA)?		Adult Medical Assistance (AMP)? State Disability Assistance (SDA)?				
	FINDINGS OF	FACT					
	strative Law Judge, based on the the whole record, including the tes		•				
1.	Claimant 🖾 applied for benefits 🔲 received benefits for: 🔲 Family Independence Program (FIP), 🔲 Adult Medical Assistance (AMP), 🖾 Medical Assistance (MA), 🔲 State Disability Assistance (SDA).						
2.	Due to excess assets, on November 28, 2011, the Department ☑ denied Claimant's application. ☐ closed Claimant's case.						
3.	On November 28, 2011, the Department sent 🗵 Claimant 🗵 Claimant's Authorized Representative (AR) notice of the 🔲 denial. 🔲 closure.						

4. On December 12, 2011, Claimant filed a hearing request, protesting the   ☐ denial of the application. ☐ closure of the case.							
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 Adult Medical Program (AMP) is established by 42 USC 1315, and is administered by the Department pursuant to MCL 400.10, <i>et seq</i> .							
☐ The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 42 USC 601, et seq. The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3101 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.							
∑ 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 (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, et seq., and MCL 400.105.							
☐ The State Disability Assistance (SDA) program, which provides financial assistance for disabled persons, is established by 2004 PA 344. The Department (formerly known as the Family Independence Agency) administers the SDA program pursuant to MCL 400.10, et seq., and 2000 AACS, R 400.3151 through Rule 400.3180.							
Based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that, due to excess assets, the Department $\boxtimes$ properly denied Claimant's application $\square$ improperly denied Claimant's application, $\square$ properly closed Claimant's case, $\square$ improperly closed Claimant's case for: $\square$ AMP $\square$ FIP $\boxtimes$ MA $\square$ SDA.							
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 \int \text{did act properly.}  \text{did not act properly.}							

Accordingly,	the Department's	☐ AMP	☐ FIP	$oxed{oxed}$ MA $oxed{oxed}$	SDA	decision	is
X AFFIRMED	REVERSED f	or the reaso	ns stated o	n the record.			
			,	/s/			
			•			Kevin Scu	ılly
				Admir	nistrativ	e Law Jud	ge
						gan, Direc	_
				Department		•	

Date Signed: May 15, 2012

Date Mailed: May 15, 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.

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 **MAY** 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

## KS/tb

