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

	DEPARTMENT OF HUMAN SERVICES		
IN THE MATTER OF:			
		Reg. No.: Issue Nos.: Case No.: Hearing Date: County:	2012-30295 2001, 3008 March 8, 2012 Wayne (82-15)

ADMINISTRATIVE LAW JUDGE: Jan Leventer

## **HEARING DECISION**

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 telephone hearing was held on March 8, 2012, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included

## <u>ISSUE</u>

Did the Department properly ☐ deny Claim for:	nant's application 🛛 close Claimant's case			
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐ Medical Assistance (MA)?	<ul><li>☐ Adult Medical Assistance (AMP)?</li><li>☐ State Disability Assistance (SDA)?</li><li>☐ Child Development and Care (CDC)?</li></ul>			
FINDINGS OF FACT				
The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:				
Claimant    □ applied for benefits    □ received benefits for:				
<ul><li>☐ Family Independence Program (FIP).</li><li>☐ Food Assistance Program (FAP).</li><li>☐ Medical Assistance (MA).</li></ul>	<ul> <li>✓ Adult Medical Assistance (AMP).</li> <li>☐ State Disability Assistance (SDA).</li> <li>☐ Child Development and Care (CDC).</li> </ul>			

	n January 31, 2012, the Department denied Claimant's application Simple closed Claimant's case le to refusal to cooperate in providing updated Redetermination information.		
$\boxtimes$	n January 20, 2012, the Department sent  Claimant Claimant's Authorized Representative (AR)  Stice of the Contact Claimant's Authorized Representative (AR)		
4. Or	n February 2, 2012, Claimant filed a hearing request, protesting the denial of the application.    closure of the case.		
CONCLUSIONS OF LAW			
	rtment policies are contained in the Bridges Administrative Manual (BAM), the es Eligibility Manual (BEM), and the Reference Tables Manual (RFT).		
Response 42 US Agend through	ne Family Independence Program (FIP) was established pursuant to the Personal consibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, SC 601, et seq. The Department (formerly known as the Family Independence cy) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 400.3101 gh Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program ive October 1, 1996.		
progra implei Regul Agena	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 lations (CFR). The Department (formerly known as the Family Independence cy) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 001 through Rule 400.3015.		
Secur The [	ne Medical Assistance (MA) program is established by the Title XIX of the Social rity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). Department of Human Services (formerly known as the Family Independence cy) administers the MA program pursuant to MCL 400.10, et seq., and MCL 05.		
	he Adult Medical Program (AMP) is established by 42 USC 1315, and is nistered by the Department pursuant to MCL 400.10, et seq.		
for dis Service progra	ne State Disability Assistance (SDA) program, which provides financial assistance sabled persons, is established by 2004 PA 344. The Department of Human ces (formerly known as the Family Independence Agency) administers the SDA am pursuant to MCL 400.10, et seq., and 2000 AACS, Rule 400.3151 through 400.3180.		

Date Mailed: March 12, 2012

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 990, 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.				
Additionally, Claimant received the Department's December 13, 2011, Redetermination request. When he received it, he decided that other personal matters were of greater mportance and he disregarded the Redetermination request in favor of the other, more serious priorities he had at the time. It is found and determined that this constitutes a refusal to cooperate with the Department.				
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 the Department				
	y denied Claimant's application y closed Claimant's case			
for: 🖂 AMP 🗌 FIP 🖂 FAP 🗌 MA 🗌 SDA 🔲 CDC.				
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   ☐ did not act properly. ☐ did not act properly.				
Accordingly, the Department's \( \subseteq \text{AMP} \subseteq \text{FIP} \( \subseteq \text{FAP} \subseteq \text{MA} \subseteq \text{SDA} \subseteq \text{CDC} decision is \( \subseteq \text{AFFIRMED} \subseteq \text{REVERSED} for the reasons stated on the record.				
	Jan Grent			
Date Signed: March 12, 2012	Jan Leventer Administrative Law Judge for Maura Corrigan, Director Department of Human Services			

**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.

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

## JL/pf

