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

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IN THE MATTER OF.						
	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2012-30322 3008 March 1, 2012 Lenawee				
ADMINISTRATIVE LAW JUDGE: Carmen G. Fa	hie					
HEARING DECI	SION					
This matter is before the undersigned Administrat and MCL 400.37 following Claimant's request telephone hearing was held on Thursday, Mark Participants on behalf of Claimant included the Department of Human Services (Department) included	for a hearing. ch 1, 2012, from clai <u>mant. Parti</u>	After due notice, a Lansing, Michigan.				
ISSUE						
Due to a failure to comply with the verificatio properly ☐ deny Claimant's application ☒ close benefits for:						
☐ Family Independence Program (FIP)? ☐ ☐ Food Assistance Program (FAP)? ☐ ☐ Medical Assistance (MA)?		ssistance (SDA)? ent and Care (CDC)?				
FINDINGS OF FACT						
The Administrative Law Judge, based upon the evidence on the whole record, including testimony	•	-				
1. Claimant ☐ applied for ☒ was receiving: ☐F	IP ⊠FAP □MA	□SDA □CDC.				
2. Claimant ⊠ was ☐ was not provided with a V	erification Checkli	st (DHS-3503).				

3. Claimant was required to submit requested verification by September 27, 2011.

 4. On November 2, 2011, the Department denied Claimant's application closed Claimant's case reduced Claimant's benefits for failure to submit verification in a timely manner.
 5. On November 2, 2011, the Department sent notice of the denial of Claimant's application. Closure of Claimant's case. reduction of Claimant's benefits.
 On November 18, 2011, Claimant filed a hearing request, protesting the ☐ denial.
CONCLUSIONS OF LAW
Department policies are found in the Bridges Administrative Manual (BAM), the Bridge Eligibility Manual (BEM) and the Reference Tables Manual (RFT).
☐ The Family Independence Program (FIP) was established pursuant to the Person Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-1942 USC 601, et seq. The Department (formerly known as the Family Independent Agency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.31 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) programmer of the Person Responsibility and Work Person Responsibility and Person
∑ The Food Assistance Program (FAP) [formerly known as the Food Stamp (Faprogram] is established by the Food Stamp Act of 1977, as amended, and implemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (CFR). The Department (formerly known as the Family Independent Agency) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.30 through Rule 400.3015.
☐ The Medical Assistance (MA) program is established by the Title XIX of the Soc Security Act and is implemented by Title 42 of the Code of Federal Regulations (CF The Department (formerly known as the Family Independence Agency) administers to MA program pursuant to MCL 400.10, et seq., and MCL 400.105.
☐ The State Disability Assistance (SDA) program which provides financial assistar for disabled persons is established by 2004 PA 344. The Department (formerly kno as the Family Independence Agency) administers the SDA program pursuant to M 400.10, et seq., and 2000 AACS, R 400.3151 through Rule 400.3180.
☐ The Child Development and Care (CDC) program is established by Titles IVA, I and XX of the Social Security Act, the Child Care and Development Block Grant 1990, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1990.

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, R 400.5001 through Rule 400.5015.

Additionally, the claimant failed to turn in her required verification of a bank accounts and vehicle value by the due date, which resulted in her case being closed. The claimant is entitled to re-apply for benefits.

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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 properly improperly
☐ closed Claimant's case.☐ denied Claimant's application.☐ reduced Claimant's benefits.
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 decision is $oxed{\boxtimes}$ AFFIRMED $oxed{\square}$ REVERSED for the easons stated on the record.
THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:
/s/
Carmen G. Fahie Administrative Law Judge For Maura Corrigan, Director Department of Human Services

Date Signed: March 2, 2012

Date Mailed: March 2, 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 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

CGF/ds

cc: