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

IN THE MATTER OF:

	Reg. No.: Issue No.: Case No.: Hearing Date: County:	November 10, 2011 Montcalm County DHS
ADMINISTRATIVE LAW JUDGE: Corey A. Are	ndt	
HEARING DEC	CISION	
This matter is before the undersigned Administration and MCL 400.37 following Claimant's request telephone hearing was held on November Participants on behalf of Claimant included Department of Human Services (Department) included	t for a hearing. 10, 2011 from . Parti	After due notice, a
<u>ISSUE</u>		
Did the Department properly ☐ deny the Clair case ☒ reduce Claimant's benefits for:	mant's application	close Claimant's
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐ Medical Assistance (MA)? ☐	=	sistance (AMP)? assistance (SDA)? ent and Care (CDC)?
FINDINGS OF	<u>FACT</u>	
The Administrative Law Judge, based on the evidence on the whole record, finds as material f	•	rial, and substantial
Claimant ☐ applied for benefits for: ☒ r	eceived benefits fo	or:
☐ Family Independence Program (FIP). ☐ Food Assistance Program (FAP). ☐ Medical Assistance (MA).	State Disability /	ssistance (AMP). Assistance (SDA). ent and Care (CDC).

[c	On October 1, 2011, the Department
	On September 20, 2011, the Department sent Claimant Claimant's Authorized Representative (AR) notice of the denial. closure. reduction.
	On October 7, 2011, Claimant or Claimant's AHR filed a hearing request, protesting he \square denial of the application. \square closure of the case. \boxtimes reduction of benefits.
	CONCLUSIONS OF LAW
	artment policies are contained in the Bridges Administrative Manual (BAM), the ges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).
	The Adult Medical Program (AMP) is established by 42 USC 1315, and is inistered by the Department pursuant to MCL 400.10, <i>et seq</i> .
Resp 42 L Agei throu	The Family Independence Program (FIP) was established pursuant to the Personal ponsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, JSC 601, et seq. The Department (formerly known as the Family Independence ncy) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3101 ugh Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program ctive October 1, 1996.
prog imple Reg Age	The Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) gram] is established by the Food Stamp Act of 1977, as amended, and is emented by the federal regulations contained in Title 7 of the Code of Federal ulations (CFR). The Department (formerly known as the Family Independence ncy) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3001 ugh Rule 400.3015.
Seco The	The Medical Assistance (MA) program is established by the Title XIX of the Social urity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). Department (formerly known as the Family Independence Agency) administers the program pursuant to MCL 400.10, <i>et seq.</i> , and MCL 400.105.
for d	The State Disability Assistance (SDA) program, which provides financial assistance disabled persons, is established by 2004 PA 344. The Department (formerly known the Family Independence Agency) administers the SDA program pursuant to MCL 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, IVE 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, R 400.5001 through Rule 400.5015.

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 income, the Department \square properly \square improperly
 ☐ denied Claimant's application ☐ reduced Claimant's benefits ☐ closed Claimant's case
for:
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 \infty \text{did act properly} \infty \text{did not act properly}.
Accordingly, the Department's AMP FIP FIP FAP MA SDA CDC decision is AFFIRMED REVERSED for the reasons stated on the record.
/s/ Corey A. Arendt Administrative Law Judge For Maura Corrigan, Director Department of Human Services Date Signed: November 10, 2011
Date digited. Hovelinger 10, 2011

Date Mailed: November 14, 2011

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

CAA/cr

