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

DEL ARTIMENT OF HOMAN SERVICES			
IN THE MATTER OF:			
	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2012-37185 3021 April 3, 2012 DHS-SSPC West	
ADMINISTRATIVE LAW JUDGE: Carmen G. Fah	ie		
HEARING DECIS	<u>ION</u>		
This matter is before the undersigned Administ rational MCL 400.37 following Claim ant's request for telephone hearing was held on Tuesday , Ap rill Participants on behalf of Cla imant included the conceptant of Human Services (Department) included ES.	r a hearing. Afte 3, 2012 from Lai laiman <u>t. Participa</u>	r due notice, a nsing, Michigan.	
<u>ISSUE</u>			
Due to excless assets, did the Department properlicion close Claimant's case for:	y 🛚 deny the Cl	aimant's app lication	
☐ Family Independence Program (FIP)? ☐ Medical Assistance (MA)? ☐ Food Assistance Program (FAP)?	=	Assistance (AMP)? Assistance (SDA)?	
FINDINGS OF FA	<u>ACT</u>		
The Administrative Law Judge, based on t he converse evidence on the whole record, including the test impract:	-	al, and substantial ng, finds as material	
1. Cla imant ⊠ applied for benefits ☐ received be	nefits for:		
☐ Family Independence Program (FIP). ☐ Medical Assistance (MA). ☐ Food Assistance Program (FAP).		Assistance (AMP). Assistance (SDA).	

	Due to excess assets, on February 22, 2011, the Department
	On February 22, 2011, the Department sent Claimant Claimant's Authorized Representative (AR) notice of the denial. Closure.
	On February 27, 2011, Claimant filed a hearing request, protesting the \boxtimes denial of the application. \square closure of the case.
	CONCLUSIONS OF LAW
	partment policies are found in the Bridges Administrative Manual (BAM), the Bridges gibility Manual (BEM), and the Reference Tables Manual (RFT).
	The Adult Medical Program (AMP) is established by 42 USC 1315, and is ministered by the Department pursuant to MCL 400.10, <i>et seq</i> .
Res 42 Age	The Family Independence Program (FIP) was established pursuant to the Personal sponsibility and W ork Opportunity Reconc iliation Act of 1996, Public Law 104-193, USC 601, et seq. The Department (formerly k nown as the Family Independence ency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3101 ough Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program ective October 1, 1996.
Sec The	The Medical Ass istance (MA) program is es tablished by the Title XIX of the Soc ial curity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). e Department (formerly known as the F amily Independence Agency) administers the program pursuant to MCL 400.10, et seq., and MCL 400.105.
for as	The State Disabilit y 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 0.10, et seq., and 2000 AACS, R 400.3151 through Rule 400.3180.
pro imp Reg Age	The Food Assistanc e Program (FAP) [fo rmerly known as the Food Sta mp (FS) ogram] is establis hed by the Food St amp Act of 1977, as amend ed, and is oblemented by the federal regulations contained in Title 7 of the Code of Federal gulations (CFR). The Department (formerly known as the Family Independence ency) administers FAP pur suant to MCL 400. 10, et seq., and 1997 AACS R 0.3001-3015.

Additionally, the claimant was recently unemployed, but had \$10,000 in her savings account. As a result, the claimant had excess assets for FAP, which had an asset limit of \$5,000. The claimant is entitled to reapply for benefits when she is under the \$5,000 FAP asset limit.

Based upon the abov e Findings of Fact and Conclus ions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that, due to excess assets, the Department
 □ properly denied Claimant's application □ properly closed Claimant's case □ improperly 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.} \text{did not act properly.}
Accordingly, the Department's AMP FIP MA SDA FAP decision is AFFIRMED REVERSED for the reasons 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:
<u>/s/</u>
Carmen G. Fahie Administrative Law Judge For Maura Corrigan, Director Department of Human Services
Date Signed: April 9, 2012
Date Mailed: April 9, 2012
NOTICE : Michigan Administrative Hearing S ystem (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of

NOTICE: Michigan Administrative Hearing S ystem (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not or der a rehearing or reconsideration on the Department's mo tion where the final decis ion 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 <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, math ematical error, or other obvious errors in the he aring 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

Re consideration/Rehearing Request P. O. Box 30639 Lansing, Michigan 48909-07322

CGF/ds

