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:	2012-37207 2006, 3008 March 29, 2012 Oakland (63-03)		
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 29, 2012, from Detroit, Michigan. Participants on behalf of Claimant included Claimant and his brother, of the Department of Human Services (Department) included.				
<u>ISSUE</u>				
Did the Department properly \boxtimes deny Claimant's application \square close Claimant's case for:				
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐ Medical Assistance (MA)? ☐		sistance (AMP)? Assistance (SDA)? ent and Care (CDC)?		
FINDINGS OF FACT				
The Administrative Law Judge, based on the evidence on the whole record, finds as material fa	•	rial, and substantial		
Claimant ⊠ applied for benefits □ received b	enefits for:			
☐ Family Independence Program (FIP). ☐ Food Assistance Program (FAP). ☐ Medical Assistance (MA).	State Disability A	ssistance (AMP). Assistance (SDA). ent and Care (CDC).		

du	n January 18, 2012, the Department denied Claimant's case denied Claimant's application denied Claimant's case denied to Claimant's default in that he failed to submit verification of his savings ecount.		
\boxtimes	n January 18, 2012, the Department sent Claimant Claimant's Authorized Representative (AR) otice of the denial. Closure.		
	n February 8, 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 onsibility 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 tive October 1, 1996.		
progra imple Regul Agend	he 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 3001 through Rule 400.3015.		
Secur The I	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.		
	The Adult Medical Program (AMP) is established by 42 USC 1315, and is nistered by the Department pursuant to MCL 400.10, et seq.		
for di Servic progra	ne State Disability Assistance (SDA) program, which provides financial assistance isabled 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.		

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 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 1400.14(1) and 1999 AC, Rule 400.5001 through Rule 400.5015.			
Additionally, it is found as fact that Claimant received the January 4, 2012, Verification Checklist and did not respond. At the hearing, Claimant submitted verification of his savings account, but the statement was for the month of March 2012 and was not the current statement requested in the January 4, 2012, checklist. Claimant did not bring additional bank statements to the hearing. Claimant's actions constitute a refusal to cooperate with the Department's application requirements.			
Based upon the above Findings of Fact and Conclusions of Law, and for the reastated on the record, the Administrative Law Judge concludes that the Department	sons		
 □ properly denied Claimant's application □ improperly denied Claimant's application □ improperly closed Claimant's case □ improperly closed Claimant's	ıtion		
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 did act properly.			
Accordingly, the Department's AMP FIP FIP MA FAP MA SDA CDC decision is AFFIRMED REVERSED for the reasons stated on the record.			
Jan Leve Administrative Law Ju for Maura Corrigan, Dire Department of Human Serv	udge ector		
Date Signed: April 2, 2012			
Date Mailed: April 2, 2012			
NOTICE: Michigan Administrative Hearing System (MAHS) may order a rehearing or			

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 <u>MAY</u> 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

