

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

IN THE MATTER OF:



Reg No. 2012-45907
Issue No. 1021
Case No. [REDACTED]
Hearing Date: May 17, 2012
Barry County DHS

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing. After due notice, an in-person hearing was held on May 17, 2012. Claimant's authorized representative, along with Claimant, personally appeared and testified.

ISSUE

Did the department and Claimant's authorized representative fully resolve the disputed issue by binding settlement offer and agreement?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1. On April 4, 2012, Claimant was mailed a Notice of Case Action closing his FIP benefits for failing to participate in JET.
2. On April 11, Claimant filed a Request for a Hearing contesting the closure of his FIP benefits.
3. Claimant's hearing was held on May 17, 2012.
4. During the hearing, the department's witness offered to settle this dispute on the record by sending Claimant for a mental status examination and resubmitting the Disability Deferral Request to MRT.

5. Claimant accepted the department's offer of settlement and acknowledged such processing would fully resolve the negative action taken in this case. (non-cooperation with JET).

CONCLUSIONS OF LAW

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 8 USC 601, et seq. The Department of Human Services (DHS or Department) administers the FIP program pursuant to MCL 400.10, et seq., and MAC R 400.3101-3131. The FIP program replaced the Aid to Dependent Children (ADC) program effective October 1, 1996. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and Reference Table Manual (RFT).

The law, MCL 24.278(2); MSA 3.560(178) (2), provides that disposition may be made of a contested case hearing by stipulation or agreed settlement on the record. Both parties agreed to the settlement terms set forth above.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides Claimant and the department entered into a valid, binding settlement agreement on the record at hearing.

Accordingly, the department's actions are REVERSED, and this case is returned to the local office for implementation of the settlement terms.

It is SO ORDERED.

/S/ _____
Vicki L. Armstrong
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: 5/21/12

Date Mailed: 5/21/12

NOTICE: Administrative Hearings 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. Administrative Hearings 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.

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.

VLA/ds

■ [REDACTED]