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

DEPARTMENT OF HUMAN SERVICES				
IN THE MATTER OF:				
	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2012-4771 6015 February 2, 2012 Washtenaw #20		
ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie				
HEARING DECISION				
This matter is before the undersigned Administration and MCL 400.37 following Claimant's requestelephone hearing was held on Thursday, Februarticipants on behalf of Claimant included the Participants on behalf of Department of Human r,	t for a hearing. Jary 02, 2012, fron he claimant and	After due notice, an Lansing, Michigan her babysitte <u>r, an landar </u>		
ISSUE				
Due to a failure to comply with the verification requirements, did the Departmen properly $\square$ deny Claimant's application $\boxtimes$ close Claimant's case $\square$ reduce Claimant's 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 testimor	•	-		
Claimant ☐ applied for ☒ was receiving: ☐	FIP  FAP  MA	□SDA ⊠CDC.		
2. Claimant ⊠ was ☐ was not provided with a	Verification Checkli	st (DHS-3503).		

3. Claimant was required to submit requested verification by September 26, 2011.

4.	Subsequently, the Department  denied Claimant's application  closed Claimant's case reduced Claimant's benefits for failure to submit verification in a timely manner.
5.	Subsequently, the Department sent notice of the denial of Claimant's application.  Closure of Claimant's case.  reduction of Claimant's benefits.
6.	On September 23, 2011, Claimant filed a hearing request, protesting the denial. $\boxtimes$ closure. $\square$ reduction.
	CONCLUSIONS OF LAW
	epartment policies are found in the Bridges Administrative Manual (BAM), the Bridges gibility Manual (BEM) and the Reference Tables Manual (RFT).
Re 42 Ag thr	The Family Independence Program (FIP) was established pursuant to the Personal esponsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, USC 601, et seq. The Department (formerly known as the Family Independence jency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3101 rough Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program fective October 1, 1996.
pro im Re Ag	The Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) ogram] is established by the Food Stamp Act of 1977, as amended, and is plemented by the federal regulations contained in Title 7 of the Code of Federal egulations (CFR). The Department (formerly known as the Family Independence Jency) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3001 rough Rule 400.3015.
Se Th	The Medical Assistance (MA) program is established by the Title XIX of the Social ecurity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department (formerly known as the Family Independence Agency) administers the A program pursuant to MCL 400.10, et seq., and MCL 400.105.
for as	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 0.10, 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 d XX of the Social Security Act, the Child Care and Development Block Grant of

Date Mailed: <u>2/21/12</u>

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.

Additionally, the department agreed that there was enough information provided by the claimant to determine continued eligibility for CDC benefits. As a result, the claimant is eligible for CDC benefits from July 26, 2011 through September 10, 2011.

eligible for CDC benefits from July 26, 2011 through September 10, 2011.
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
<ul><li>☐ closed Claimant's case.</li><li>☐ denied Claimant's application.</li><li>☐ reduced Claimant's benefits.</li></ul>
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.  did not act properly.
Accordingly, the Department's decision is $\square$ AFFIRMED $\boxtimes$ REVERSED for the reasons stated on the record.
oxtimes THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:
The department is ordered to imitate the payment for the claimant's CDC charges for the contested time period of July 26, 2011 through September 10, 2011.
/s/ Carmen G. Fahie Administrative Law Judge For Maura Corrigan, Director Department of Human Services Date Signed: 2/14/12
Date Olyneu. Z/14/12

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**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

