

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2012-49585
Issue No.: 2000
Case No.: [REDACTED]
Hearing Date: August 30, 2012
County: Wayne (18)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

SETTLEMENT ORDER

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 Thursday, August 30, 2012, from Detroit, Michigan. The Claimant appeared, along with [REDACTED], and testified. The Claimant was represented by [REDACTED]. Participating on behalf of the Department of Human Services ("Department") was [REDACTED]. Appearing on behalf of the Office of Child Support ("OCS") was [REDACTED].

ISSUE

Whether the Department properly:

- denied Claimant's application for benefits
- closed Claimant's case for benefits
- reduced Claimant's benefits

for:

- | | |
|--|---|
| <input type="checkbox"/> Family Independence Program ("FIP")? | <input type="checkbox"/> State Disability Assistance ("SDA")? |
| <input type="checkbox"/> Food Assistance Program ("FAP")? | <input type="checkbox"/> Child Development and Care ("CDC")? |
| <input checked="" type="checkbox"/> Medical Assistance ("MA")? | <input type="checkbox"/> State Emergency Services ("SER")? |
| <input type="checkbox"/> Adult Medical Assistance ("AMP")? | |

FINDINGS OF FACT

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

1. In 2010, the Claimant was found to be in non-cooperation with the OCS.
2. On February 9, 2012, the Department received the Claimant's application for public assistance seeking MA benefits, retroactive to November 2011.
3. On February 27, 2012, the Department denied the MA application based of the OCS non-cooperation.
4. On April 24, 2012, the Department received the Claimant's written request for hearing, protesting the denial of MA benefits.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual ("BAM"), the Bridges Eligibility Manual (BEM), the Reference Tables Manual ("RFT"), and the Bridges Eligibility Tables ("RFT").

The Medical Assistance ("MA") program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations. The Department of Human Services, formerly known as the Family Independence Agency, administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, the OCS acknowledged that the Claimant was in compliance effective September 2011. As such, the Department agreed to re-register and process the February 9, 2012 MA application, retroactive to November 2011. All parties were amenable to this resolution.

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Register and initiate processing of the February 9, 2012 MA application, retroactive to November 2011, in accordance with Department policy.

2. The Department shall notify the Claimant and her Authorized Hearing Representative of the determination in accordance with Department policy.
3. The Department shall supplement for lost benefits (if any) that the Claimant was entitled to receive, if otherwise eligible and qualified, in accordance with Department policy.

Colleen M. Mamelka

Colleen M. Mamelka
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: September 19, 2012

Date Mailed: September 19, 2012

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.

CMM/cl

cc:

