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

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	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2012-5088 2006 March 28, 2012 MA Spec Process (99-98)					
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 selephone hearing was held on March 28, 2012, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included							
<u>ISSUE</u>							
Did the Department properly 🔲 deny Claimant's for:	application 🛚 c	lose Claimant's case					
Family Independence Program (FIP)? Food Assistance Program (FAP)? Medical Assistance (MA)?	State Disability A	sistance (AMP)? assistance (SDA)? ent and Care (CDC)?					
FINDINGS OF FACT							
The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:							
1. Claimant ☐ applied for benefits ⊠ received b	enefits for:						
☐ Family Independence Program (FIP). ☐ Food Assistance Program (FAP). ☐ Medical Assistance (MA). ☐	State Disability	ssistance (AMP). Assistance (SDA). ent and Care (CDC).					

du Qı	In November 30, 2011, the Department denied Claimant's application closed Claimant's case use to the fact that Claimant's Medicaid Settlement Agreement Supplemental suestionnaire, which was an application for Medicaid disability benefits, did not contain any assertion of physical or mental impairment.
\boxtimes	on or before October 7, 2011, the Department sent Claimant Claimant's Authorized Representative (AR) otice of the Cenial. Closure.
4. O	n October 7, 2011, Claimant filed a hearing request, protesting the denial of the application. closure of the case.
	CONCLUSIONS OF LAW
	artment policies are contained in the Bridges Administrative Manual (BAM), the les Eligibility Manual (BEM), and the Reference Tables Manual (RFT).
Responsible 42 US Agendarian	the Family Independence Program (FIP) was established pursuant to the Personal consibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, SC 601, et seq. The Department (formerly known as the Family Independence acy) 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 Regu Agen	The Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) ram] is established by the Food Stamp Act of 1977, as amended, and is emented by the federal regulations contained in Title 7 of the Code of Federal lations (CFR). The Department (formerly known as the Family Independence acy) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 3001 through Rule 400.3015.
Secui The	he 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 acy) administers the MA program pursuant to MCL 400.10, et seq., and MCL 105.
	The Adult Medical Program (AMP) is established by 42 USC 1315, and is nistered by the Department pursuant to MCL 400.10, <i>et seq</i> .
for di Service progra	he 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 cam 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 400.14(1) and 1999 AC, Rule 400.5001 through Rule 400.5015.						
Additionally, the findings of fact are that Claimant received and submitted the application Questionnaire, and her responses did not contain reference to a physical or mental impairment. Claimant's response contained only a request for payment of a medical bill for a breast examination in December 2010.						
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 denied Claimant's application □ improperly denied Claimant's application □ 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 \(\subseteq \text{did act properly.} \) \(\subseteq \text{did not act properly.} \)						
Accordingly, the Department's AMP FIP FAP MA SDA CDC decision is AFFIRMED REVERSED for the reasons stated on the record.						
Jan Leventer Administrative Law Judge for Maura Corrigan, Director						
Department of Human Services Date Signed: April 2, 2012						
Date Mailed: April 2, 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.

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

JL/pf

