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

IN THE MATTER OF:		Reg. No: Issue No.:	201253053 4031		
		Case No: Hearing Date: Kent County DH			
ADMINISTRATIVE LAW JUDGE: Kevin Scully					
	HEARING DECIS	ION			
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 July 12, 2012, from Lansing, Michigan. Participants on behalf of Claimant included Participants on behalf of Department of Human Services (Department) included					
	ISSUE				
Did the Department properly \boxtimes deny Claimant's application \square close Claimant's case for:					
	nce Program (FAP)?	Adult Medical Assis State Disability Ass Child Development	,		
	FINDINGS OF FA	<u>ACT</u>			
The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:					
Inde _l	mant applied for benefits pendence Program (FIP), sood Assistance Program (FAP), Medical Assistance (MA), Child	Adult Medical A ⊠ State Disability	Assistance (AMP), Assistance (SDA),		
☐ cl for S	February 22, 2012, the Departme losed Claimant's case due to the Supplemental Security Income (bility Insurance (RSDI) benefits wi	Claimant having no SSI) or Retireme	o active application nt, Survivors, and		

3	3.	On February 22, 2012, the Department sent \boxtimes Claimant \square Claimant's Authorized Representative (AR) notice of the \boxtimes denial. \square closure.
4	١.	On May 8, 2012, Claimant filed a hearing request, protesting the \boxtimes denial of the application. \square closure of the case.
•		CONCLUSIONS OF LAW policies are contained in the Bridges Administrative Manual (BAM), the gibility Manual (BEM), and the Reference Tables Manual (RFT).
Respons 42 USC Agency) through	sibil 60 ad Ru	nily Independence Program (FIP) was established pursuant to the Personal ity and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 1, et seq. The Department (formerly known as the Family Independence ministers FIP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3101 le 400.3131. FIP replaced the Aid to Dependent Children (ADC) program ctober 1, 1996.
program impleme Regulati Agency)	n] is ente ions) ad	od Assistance Program (FAP) [formerly known as the Food Stamp (FS) is established by the Food Stamp Act of 1977, as amended, and is d by the federal regulations contained in Title 7 of the Code of Federal (CFR). The Department (formerly known as the Family Independence ministers FAP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3001 e 400.3015.
Security The De	Ac part ac	dical Assistance (MA) program is established by the Title XIX of the Social t and is implemented by Title 42 of the Code of Federal Regulations (CFR). It to the time the time of Human Services (formerly known as the Family Independence Iministers the MA program pursuant to MCL 400.10, et seq., and MCL
		dult Medical Program (AMP) is established by 42 USC 1315, and is d by the Department pursuant to MCL 400.10, et seq.
for disa Services	bled s (fo	te Disability Assistance (SDA) program, which provides financial assistance dipersons, is established by 2004 PA 344. The Department of Human primerly known as the Family Independence Agency) administers the SDA irsuant to MCL 400.10, et seq., and 2000 AACS, R 400.3151 through Rule
and XX 1990, ar The pro and 99.	of nd tl grai	Id Development and Care (CDC) program is established by Titles IVA, IVE the Social Security Act, the Child Care and Development Block Grant of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. In is implemented by Title 45 of the Code of Federal Regulations, Parts 98 the Department provides services to adults and children pursuant to MCL and 1999 AC, R 400.5001 through Rule 400.5015.

Additionally, the Claimant testified that her application to the Social Security Administration had been denied. The Claimant testified that although she could not remember the date she appealed this denial, that she submitted her appeal in March of April of 2012.

The Department has established that it used the best information available to determine the Claimant's eligibility for Medical Assistance (MA) and State Disability Assistance (SDA) benefits on February 22, 2012.

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 \square properly denied Claimant's application, \square improperly denied Claimant's application, \square properly closed Claimant's case, \square improperly closed Claimant's case for: \square AMP \square FIP \square FAP \square MA \square SDA \square CDC.
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 \boxtimes did act properly. \square did not act properly.
Accordingly, the Department's \square AMP \square FIP \square FAP \boxtimes MA \boxtimes SDA \square CDC decision \boxtimes AFFIRMED \square REVERSED for the reasons stated on the record.
<u>/s/</u>
Kevin Scully
Administrative Law Judge For Maura Corrigan, Director
Department of Human Services
Dopartinont of Figure 20171000

Date Signed: July 13, 2012

Date Mailed: July 13, 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

KS/tb

cc: