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

IN THE MATTER OF:

	Reg. No.: Issue No.: Case No.: Hearing Date: County:	201253120 2026 August 29, 2012 Macomb County DHS	
ADMINISTRATIVE LAW JUDGE: Christopher S.	Saunders		
HEARING DECIS	SION		
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 August 29, 2012 from Lansing, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of Department of Human Services (Department) included			
<u>ISSUE</u>			
Due to excess income, did the Department properly ☐ deny the Claimant's application ☐ close Claimant's case ☐ reduce Claimant's benefits for:			
Food Assistance Program (FAP)?	_	sistance (AMP)? ssistance (SDA)? nt 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:			
Claimant ☐ applied for benefits for: ☐ red	ceived benefits for	r:	
☐ Family Independence Program (FIP). ☐ ☐ Food Assistance Program (FAP). ☐ ☐ Medical Assistance (MA). ☐		sistance (AMP). ssistance (SDA). ent and Care (CDC).	

2.	On June 1, 2012, the Department			
3.	On May 3, 2012, the Department sent Claimant Claimant's Authorized Representative (AR) notice of the denial. Closure. reduction.			
4.	On May 14, 2012, Claimant or Claimant's AHR filed a hearing request, protesting the ☐ denial of the application. ☐ closure of the case. ☐ reduction of benefits.			
CONCLUSIONS OF LAW				
	epartment policies are contained in the Bridges Administrative Manual (BAM), the idges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).			
	The Adult Medical Program (AMP) is established by 42 USC 1315, and is ministered by the Department pursuant to MCL 400.10, et seq.			
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 gency) 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 pency) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3001 rough Rule 400.3015.			
Se	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.			
an	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 90, 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.

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, due to excess income, the Department \square properly \square improperly		
 ☐ denied Claimant's application ☐ reduced Claimant's benefits ☐ 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 ☐ 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.		
/s/ Christopher S. Saunders Administrative Law Judge For Maura Corrigan, Director Department of Human Services		
Data Circulation 200 2042		

Date Signed: August 29, 2012

Date Mailed: August 30, 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

CSS/cr

