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

IN	IHE	MAI	IEK	OF:

	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2012-56006 2021 September 19, 2012 Oakland (02)
ADMINISTRATIVE LAW JUDGE: Michael J. B	Bennane	
SETTLEMENT	ORDER	
	st for a hearing. Afte er 19, 2012, from D I the c laimant and ne Depar tment c	r due notice, a
Whether the Department properly:		
denied Claimant's application for benefits closed Claimant's case for benefits reduced Claimant's benefits		
or:		
Family Independence Program (FIP)? Food Assistance Program (FAP)? Medical Assistance (MA)? Adult Medical Assistance (AMP)?	Child Developme	Assistance (SDA)? ent and Care (CDC)? y Services (SER)?

FINDINGS OF FACT

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

1. On February 2, 2012, the Department:

	☑ denied Claimant's application for benefits☐ closed Claimant's case for benefits☐ reduced Claimant's benefits
	under the following program(s):
	☐ FIP ☐ FAP ☒ MA ☐ AMP ☐ SDA ☐ CDC ☐ SER.
2.	On May 9, 2012, the Department s ent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:
3.	On May 21, 2012, Claimant filed a request for hearing concerning the Department's action.
	CONCLUSIONS OF LAW
Eligibi	rtment policies are found in the Bridges Administrative Manual (BAM), the Bridges ility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Manual (ERM).
Respo 42 US Agend throug	e Family Independence Program (FIP) was established pursuant to the Personal possibility and W ork Opportunity Reconciliation Act of 1996, Public Law 104-193, SC 601, et seq. The Department (formerly known as the Family Independence by) 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 to October 1, 1996.
progra impler Regul Agend	e Food Assistanc e Program (FAP) [fo rmerly known as the Food Sta mp (FS) am] is establis hed by the Food St amp Act of 1977, as amend ed, and is mented by the federal regulations contained in Title 7 of the Code of Federal ations (CFR). The Department (formerly known as the Family Independence by) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 001 through Rule 400.3015.
Secur The D	e Medical Ass istance (MA) program is es tablished by the Title XIX of the Soc ial ity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). Department of Human Services (formerly known as the Family Independ ence by) administers the MA program pursuant to MCL 400.10, et seq., and MC L 05.

The Adult Medical Program (AMP) is established by 42 USC 1315, and is administered by the Department pursuant to MCL 400.10, et seq.
☐ The State Disability Assistance (SDA) program, which provides financial assistance for disabled persons, is established by 2004 PA 344. The D epartment of Human Services (formerly known as the Family Independence Agency) administers the SDA program pursuant to MCL 400.10, et seq., and 20 00 AACS, Rule 400.3151 through Rule 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 Feder al 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.
☐ The State Emergency Relief (SER) program is establ ished by 2004 PA 344. The SER program is administer ed pursuant to MCL 400.10, et seq., and by 1999 AC, Rul e 400.7001 through Rule 400.7049. Department polic ies are found in the State Emergency Relief Manual (ERM).

The law pr ovides that disposition may be made of a contest ed case by s tipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant requested a hearing to dispute the Department's action. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: accept documentation of the bank account assets being the proceeds of a loan currently being repaid, and recalculate the asset based on that documentation. (BEM 400).

As a result of this settlement, Claimant no longer wish es to proceed with the hearing. As such, it is unnec essary for this Admi nistrative Law Judge to render a decis ion 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:

 Accept documentation of the bank account assets bei ng the proceeds of a loan currently being repaid, and recalculate the asset based on that documentation, back to April 10, 2012. (BEM 400)

Michael J. Bennane
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: October 16, 2012

Date Mailed: October 16, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a par ty within 30 days of the mailing date of this Dec ision and Order. MAHS will not order a rehearing or reconsideration on the Department's mo tion where the final decis ion 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 ti mely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

MJB/ctl

CC:

