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

IN	TH	MΛ.	TT		\mathbf{a}	
ПV		VI /~		ᄗ		Г.

	Reg. No.: Issue No.: Case No.: Hearing Date: County:	20126022 2000 March 29, 2012 Wayne (35)		
ADMINISTRATIVE LAW JUDGE: Alice C. Elkin				
SETTLEMENT OR	DER			
This matter is before the undersigned Admini strative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claim ant's request for a hearing. After due notice, a telephone hearing was held on March 29, 2012, from Detroit, Michigan. Participants on behalf of Claimant included Cl aimant and Case manager of Adult Oupatient Services, Lincoln Behavioral Services. Part icipants on behalf of the Department of Human Services (Department) included Assistance Payment Worker, and Fatima Willis, Assistance Payment Supervisor.				
<u></u>				

whether the Department properly:	
☐ denied Claimant's application for benefits ☐ closed Claimant's case for benefits ☐ reduced Claimant's benefits	
for:	
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐ Medical Assistance (MA)? ☐ Adult Medical Assistance (AMP)?	☐ State Disability Assistance (SDA)? ☐ Child Development and Care (CDC)? ☐ State Emergency Services (SER)?

FINDINGS OF FACT

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

1.	On September 14, 2011, 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 September 14, 2011, the Department sent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:
3.	On September 23, 2011, Claimant filed a request fo r hearing concerning the Department's action.
	CONCLUSIONS OF LAW
Eligib	rtment policies are found in the Bridges Administrative Manual (BAM), the Bridges ility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency f Manual (ERM).
Resp 42 US Agen throu	ne Family Independence Program (FIP) was established purs uant to the Personal onsibility and W ork Opportunity Reconc iliation Act of 1996, Public Law 104-193, SC 601, et seq. The Department (formerly k nown as the Family Independence cy) 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.
progr imple Regu Agen	ne Food Assistanc e Program (FAP) [form erly known as the Food Stamp (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 lations (CFR). The Department (formerly known as the Family Independence cy) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 3001 through Rule 400.3015.
Secu The [ne Medical Ass istance (MA) program is es tablished by the Title XIX of the Soc ial rity 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 cy) administers the MA program pursuant to MCL 400.10, et seq., and MCL 05.

☐ The Adult Medical Program (AMP) is established by 42 USC 1315, and is administered by the Department pursuant to MCL 400.10, <i>et seq</i> .
☐ The State Disabilit y Assistance (SDA) progr am, which provides financial ass istance 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 establis hed by Titles IVA, IVE and XX of the Soc ial Security Act, the Child Care and Developm ent 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 Fede ral Regulations, Parts 98 and 99. The Depart ment 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 estable ished by 2 004 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 police 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 applied for MA benefits on December 29, 2010. The Department denied the application on September 14, 2011, on the basis that Claimant had failed to verify, or allow the Department to verify, requested information. 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: (i) reregister—Claimant's December 29, 2010, MA application; (ii) sen d Claimant a Verification Check—list (VCL), in accordance wit—h Department policy, requesting Claimant's medical do cumentation for the period from June 1, 2010 through December 31, 2010, althoug—h the Department—is willing to accept medical documentation through September 2011; (iii) if—Claimant timely provides the requested documentation, begin reprocessing Claimant's December 29, 2010, MA application in accordance with Department policy; (iv) issue supplements—to Claimant for any MA benefits Claimant was eligible to receive but did not from September 1, 2010, ongoing; and (v) notify Claimant in writing of its decision in accordance with Department policy.

As a result of this settlement, Claimant no longer wish es 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. Reregister Claimant's December 29, 2010, MA application;
- 2. Send Claimant a Verification Checklist (VCL), in accordance with Department policy, requesting Claimant's medi cal documentation for the per iod from June 1, 2010 through December 31, 2010, all though the Department is willing to accept medical documentation through September 2011;
- 3. If Claimant timely provides the r equested docum entation, begin reprocessing Claimant's December 29, 2010, MA applie ation in accordance with Department policy;
- 4. Issue supplements to Claimant for any MA benefits Claimant was eligible to receive but did not from September 1, 2010, ongoing; and
- 5. Notify Claimant in writing of its decision in accordance with Department policy.

Alice C. Elkin

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 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.

ACE/cl

2012-6022/ACE

