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

IN THE MATTER OF:		Reg. No: Issue No:	201264890 3008	
		Case No: Case No: Hearing Date: Muskegon Cour	August 22, 2012	
ADMINISTRATIVE LAW JUDGE: Kevin Scully				
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 telephone hearing was held on August 22, 2012, from Lansing, Michigan. Participants on behalf of Claimant included Participants. Participants on behalf of Department of Human Services (Department) included				
<u>ISSUE</u>				
Due to a failure to comply with the verification requirements, did the Department properly $\square$ deny Claimant's application $\boxtimes$ close Claimant's case $\square$ reduce Claimant's benefits for:				
		State Disability Ass Child Development	, ,	
FINDINGS OF FACT				
The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, including testimony of witnesses, finds as material fact:				
1.	Claimant ☐ applied for ☒ was □ ☐CDC.	receiving: □FIP ⊠F	FAP □MA □SDA	
2.	Claimant ⊠ was ☐ was not produced (DHS-4635).	rovided with a New	Hire Client Notice	
3.	Claimant was required to submit re	equested verification b	y June 1, 2012.	

4.	On June 29, 2012, the Department $\square$ denied Claimant's application $\boxtimes$ closed Claimant's case $\square$ reduced Claimant's benefits for failure to submit verification in a timely manner.			
5.	On June 29, 2012, the Department sent notice of the $\square$ denial of Claimant's application. $\boxtimes$ closure of Claimant's case. $\square$ reduction of Claimant's benefits.			
6.	On July 12, 2012, Claimant filed a hearing request, protesting the $\Box$ denial. $\boxtimes$ closure. $\Box$ reduction.			
CONCLUSIONS OF LAW				
	policies are found in the Bridges Administrative Manual (BAM), the Bridges nual (BEM) and the Reference Tables Manual (RFT).			
☐ The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 42 USC 601, <i>et seq.</i> The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10, <i>et seq.</i> , and 1999 AC, R 400.3101 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.				
program] is implemented Regulations	d Assistance Program (FAP) [formerly known as the Food Stamp (FS) established by the Food Stamp Act of 1977, as amended, and is by the federal regulations contained in Title 7 of the Code of Federal (CFR). The Department (formerly known as the Family Independence ninisters FAP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3001 400.3015.			
Security Act The Departm	ical Assistance (MA) program is established by the Title XIX of the Social and is implemented by Title 42 of the Code of Federal Regulations (CFR). nent (formerly known as the Family Independence Agency) administers the pursuant to MCL 400.10, <i>et seq.</i> , and MCL 400.105.			
for disabled as the Famil	e Disability Assistance (SDA) program which provides financial assistance persons is established by 2004 PA 344. The Department (formerly known y Independence Agency) administers the SDA program pursuant to MCL eq., and 2000 AACS, R 400.3151 through Rule 400.3180.			
and XX of the standard section 1990, and the the program and 99. The standard section 1990 is a sectin	Development and Care (CDC) program is established by Titles IVA, IVE ne Social Security Act, the Child Care and Development Block Grant of Personal Responsibility and Work Opportunity Reconciliation Act of 1996. is implemented by Title 45 of the Code of Federal Regulations, Parts 98 to Department provides services to adults and children pursuant to MCL d 1999 AC, R 400.5001 through Rule 400.5015.			

Date Mailed: August 23, 2012

stated on the record, the Administrative Law Judge properly improperly closed Claimant's case. reduced Claimant's benefits.	concludes that the Department			
DECISION AND ORDER				
The Administrative Law Judge, based upon the above of Law, and for the reasons stated on the reco  ☐ did act properly. ☐ did not act properly.	•			
Accordingly, the Department's decision is $\boxtimes$ <b>AFFI</b> reasons stated on the record.	RMED  REVERSED for the			
Date Signed: August 23, 2012	/s/  Kevin Scully  Administrative Law Judge  For Maura Corrigan, Director  Department of Human Services			
Date Digited. August 25, 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 receipt 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.

## 201264890/KS

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



