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

IN THE MATTER OF:

Reg. No.: 20126643

Issue No.: 3008, 2006, 6015

Case No.:

Hearing Date: November 23, 2011

County: Genesee County DHS #6

ADMINISTRATIVE LAW JUDGE: Christopher S. Saunders

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 November 23, 2011, from Lansing, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of Department of Human Services (Department) included

ISSUE

	ification requirements, did the Departmen close Claimant's case ☐ reduce Claimant's		
☐ Family Independence Program (FIP)? ☐ Food Assistance Program (FAP)? ☐ Medical Assistance (MA)?	☐ State Disability Assistance (SDA)? ☐ Child Development and Care (CDC)?		
FINDINGS OF FACT			

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 receiving: ☐FIP ☒FAP ☒MA ☐SDA ☒CDC.
- 2. Claimant ⊠ was ☐ was not provided with a Verification Checklist (DHS-3503).
- 3. Claimant was required to submit requested verification by October 4, 2011.
- 4. On October 23, 2011, the Department

 □ denied Claimant's application ☑ closed Claimant's case □ reduced Claimant's benefits for failure to submit verification in a timely manner. 	
 5. On October 5, 2011, the Department sent notice of the denial of Claimant's application. Closure of Claimant's case. reduction of Claimant's benefits. 	
 On October 13, 2011, Claimant filed a hearing request, protesting the ☐ denial.	
CONCLUSIONS OF LAW	
Department policies are found in the Bridges Administrative Manual (BAM), the Bridgeligibility Manual (BEM) and the Reference Tables Manual (RFT).	ges
☐ The Family Independence Program (FIP) was established pursuant to the Perse Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-742 USC 601, et seq. The Department (formerly known as the Family Independency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) progeffective October 1, 1996.	193, ence 3101
∑ The Food Assistance Program (FAP) [formerly known as the Food Stamp (program] is established by the Food Stamp Act of 1977, as amended, and implemented by the federal regulations contained in Title 7 of the Code of Fed Regulations (CFR). The Department (formerly known as the Family Independency) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, R 400.3 through Rule 400.3015.	d is leral ence
∑ The Medical Assistance (MA) program is established by the Title XIX of the So Security Act and is implemented by Title 42 of the Code of Federal Regulations (Cl The Department (formerly known as the Family Independence Agency) administers MA program pursuant to MCL 400.10, et seq., and MCL 400.105.	FR).
☐ The State Disability Assistance (SDA) program which provides financial assistation for disabled persons is established by 2004 PA 344. The Department (formerly known as the Family Independence Agency) administers the SDA program pursuant to № 400.10, et seq., and 2000 AACS, R 400.3151 through Rule 400.3180.	own
∑ The Child Development and Care (CDC) program is established by Titles IVA, and XX of the Social Security Act, the Child Care and Development Block Grar 1990, and the Personal Responsibility and Work Opportunity Reconciliation Act of 19 The program is implemented by Title 45 of the Code of Federal Regulations, Parts	nt of 996.

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 the Department properly improperly closed Claimant's case. denied Claimant's application. reduced Claimant's benefits. **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. did not act properly. Accordingly, the Department's 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 Date Signed: November 29, 2011 Date Mailed: December 1, 2011 **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.

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

