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

IN THE MATTER OF:



Reg. No.: 2012-269806

Issue No.: 1021

Case No.: Hearing Date:

March 14, 2013 County: Wayne (55)

☐ Child Development and Care (CDC).

ADMINISTRATIVE LAW JUDGE: Susan C. Burke

Medical Assistance (MA).

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 March 14, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included FIM.

ISSUE

Did the Department properly \boxtimes deny Claimant's application \square close Claimant's case \square calculate 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)?		
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 □ received benefits for:			
☐ Family Independence Program (FIP).☐ Food Assistance Program (FAP).	☐ Adult Medical Assistance (AMP).☐ State Disability Assistance (SDA).		

2.	On August 2, 2012, the Department ☐ denied Claimant's application ☐ closed Claimant's case ☐ calculated Claimant's benefits due to Claimant receiving 48 months or more of benefits.	
3.	On August 2, 2012, the Department sent Claimant Claimant's Authorized Representative (AR) notice of the denial. Closure. calculation.	
4.	Claimant did receive 48 months or more of FIP benefits.	
5.	On August 8, 2012, Claimant filed a hearing request, protesting the denial of the application.	
CONCLUSIONS OF LAW		
	partment policies are contained in the Bridges Administrative Manual (BAM), the dges Eligibility Manual (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, et seq. The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 400.3101 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.		
In the present case, Claimant applied for FIP benefits on or around August 2, 2012. The Department denied Claimant's application due to her receiving 48 months or more in FIP benefits.		
At the hearing, Claimant had the opportunity to review the Michigan FIP Time Limit, Exhibit 2. Claimant did not dispute that she received FIP benefits for the months detailed in the exhibit, which exhibit shows that Claimant received 48 months of FIP benefits. Therefore, per BEM 234, the Department was correct in denying Claimant's FIP application.		
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 denied Claimant's application properly closed Claimant's case properly calculated Claimant's benefits improperly calculated Claimant's benefits	
for	: ☐ AMP ☑ FIP ☐ FAP ☐ MA ☐ SDA ☐ CDC.	

Date Mailed: March 18, 2013

DECISION AND ORDER

The Administrative Law Judge, based upon the above F of Law, and for the reasons stated on the record, finds the did act properly.	•	
Accordingly, the Department's \square AMP \boxtimes FIP \square FAP \square MA \square SDA \square CDC decision is \boxtimes AFFIRMED \square REVERSED for the reasons stated on the record.		
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_	Susan C. Burke	
	Administrative Law Judge	
	for Maura Corrigan, Director	
	Department of Human Services	
Date Signed: March 18, 2013		

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 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.

2012-269806/SCB

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

SCB/tm

