IN THE MATTER OF:

███████

Reg. No.:   2012-71023
Issue No.:   1000
Case No.:   ███████
Hearing Date: October 18, 2012
County: Wayne (76)

ADMINISTRATIVE LAW JUDGE: Susan C. Burke

SETTLEMENT ORDER

This matter is before the undersigned Admini strative 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 Oc tober 18, 2012, from Detroi t, Michigan.   Participants on behalf of Claimant included   Claimant. Participant s on behal f of the Department of Human Services (Department) included █████████, FIS

ISSUE

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)?   ☐ State Disability Assistance (SDA)?
☐ Food Assistance Program (FAP)?   ☐ Child Development and Care (CDC)?
☐ Medical Assistance (MA)?   ☐ State Emergency Services (SER)?
☐ Adult Medical Assistance (AMP)?

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. 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 August 15, 2012, Claimant   filed   a r equest for hearing concerning the Department's action.

CONCLUSIONS OF LAW

Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Relief Manual (ERM).

☒ The Family Independence Program (FIP) was   established pursuant to the Personal Responsibility and W ork Opportunity Reconc iliation Act of 1996,   Public Law 104-193, 42 USC 601, *et seq*. The Department (formerly k nown 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.

☐ The Food Assistanc e Program (FAP) [form erly known as the Food Stamp (FS) program] is establis hed by the Food St amp Act of 1977, as amend ed, and is implemented by the federal r egulations contained in Title   7 of the Code of Federal Regulations (CFR). The   Department (formerly known   as the Family Independenc e Agency) administers FAP   pursuant to MCL 400.10,   *et seq* ., and 1999 AC, Rule 400.3001 through Rule 400.3015.

☐ The Medical Ass istance (MA) program is es tablished by the Title XIX of the Soc ial Security Act and is im plemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human   Services (formerly known as the Family Independ ence Agency) administers the MA pr ogram pursuant to MCL 400.10,   *et seq* ., and MC L 400.105.

☐ 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) 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   I ndependence 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 Ch ild 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 servic es 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 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 polic ies are found in the State Emergency Relief Manual (ERM).

The law pr ovides that dispos ition 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 th e hearing, the parties testif ied that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: reinstate and reprocess Claimant's application for FIP, effective August 7, 2012.
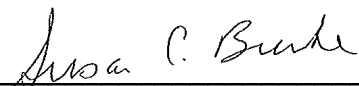
As a result of this settlement, Claimant no longer wish es to proceed with the hearing. As such, it is unnec essary for this Admi nistrative Law Judge to render a decis ion regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claiman t have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Initiate reinstating and reprocessing of Claimant's applicatio n for FIP, effective August 7, 2012.
2. Issue FIP supplements, if Claimant is found to be eligible for FIP, for any mis sed payments, in accordance with Department policy.

Susan C. Burke
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: October 25, 2012
Date Mailed: October 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 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 Dec ision and Order or, if a ti mely request for rehea ring was made, within 30 days of the mailing date of the rehearing decision.

SCB/ctl

cc:

S.   Burke