

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

**IN THE MATTER OF:**



Reg. No.: 201212562  
Issue No.: 1000  
Case No.: [REDACTED]  
Hearing Date: January 4, 2012  
County: Calhoun County DHS

**ADMINISTRATIVE LAW JUDGE:** Christopher S. Saunders

**HEARING DECISION**

In accordance with MCL 400.9, MCL 400.37, and Mich Admin Code, R 400.903, a hearing was held in this matter on January 4, 2012. Claimant appeared at hearing and provided testimony. The Department of Human Services (the Department) was represented by agency personnel.

**ISSUE**

The issue in dispute was whether the Department properly closed Claimant's Family Independence Program (FIP) case.

**FINDINGS OF FACT**

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

1. At all times relevant to this matter, Claimant was receiving FIP benefits.
2. On October 11, 2011, the Department notified Claimant that Claimant's FIP case would close, effective November 1, 2011, because Claimant exceeded the lifetime limit on the receipt of FIP assistance.
3. On October 31, 2011, Claimant filed a Request for Hearing, disputing the Department's action on the basis that the Department:

- miscalculated the number of months Claimant had received FIP benefits.
- improperly determined Claimant's group composition.

**CONCLUSIONS OF LAW**

The FIP was established under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 8 USC 601, *et seq.* The Department (formerly known as the Family Independence Agency) administers the FIP in accordance with MCL 400.10, *et seq.*, and Mich Admin Code, R 400.3101 through R 400.3131. The FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996. Agency policies pertaining to this program are found in the Bridges Administrative Manual, the Bridges Eligibility Manual (BEM) and the Reference Tables Manual (RFT).

FIP is not an entitlement. BEM 234. Time limits are essential to establishing the temporary nature of aid as well as communicating the FIP philosophy to support a family's movement to self-sufficiency. BEM 234. Law and policy restricts the total cumulative months that an individual may receive FIP benefits to a lifetime limit of 48 months for State-funded FIP cases and 60 months for federally-funded FIP cases. BEM 234.

**DECISION AND ORDER**

Based upon the above findings of fact and conclusions of law, and for the reasons stated on the record, the Administrative Law Judge finds that the Department:

- acted properly in this matter.
- did not act properly in this matter.

Accordingly, the Department's decision is:

- AFFIRMED.
- REVERSED.

/s/ \_\_\_\_\_  
Christopher S. Saunders  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: January 4, 2012

Date Mailed: January 4, 2012

**NOTICE:** The 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, however, order a rehearing or reconsideration on the Department of Human Services' motion where the final decision cannot be implemented within  90 days  60 days of the filing of the original request.

Claimant may appeal this 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 **MAY** 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 errors, or other obvious errors in the hearing decision that effect the substantial rights of 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 System  
Reconsideration/Rehearing Request  
P.O. Box 30639  
Lansing, MI 48909-07322

CSS/cr

cc:

