

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201252219
Issue No: 1005
Case No: [REDACTED]
Hearing Date: June 6, 2012
Washtenaw County DHS

ADMINISTRATIVE LAW JUDGE: William A. Sundquist

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was held on Tuesday, June 12, 2012. Claimant appeared with her authorized representative, [REDACTED].

ISSUE

Is good cause established for non-compliance with JET?

FINDINGS OF FACT

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

1. On April 23, 2012, the Department of Human Services (DHS) terminated the Claimant's FIP based on non-compliance with the JET Program per BEM 233A and 233B with a hearing request on May 8, 2012.
2. On March 6, 2012, the DHS notified the Claimant to attend JET on March 19, 2012; she did not attend.
3. On April 16, 2012, the DHS notified the Claimant to attend a triage meeting on April 16, 2012; she did not attend.
4. Claimant claims good cause for not attending her two assignments above based on transportation and child day care problems.

CONCLUSIONS OF LAW

The Food Assistance Program (FAP) (formerly known as the Food Stamp (FS) program) is established by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal

Regulations (CFR). The Department of Human Services (DHS or department) administers the FAP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3001-3015. Department policies are found in the Program Administrative Manual (BAM), the Program Eligibility Manual (BEM) and the Program Reference Manual (PRM).

Facts above are undisputed.

Good cause – A circumstance which is considered a valid reason for not complying with a requirement. BRG Glossary, Page 15.

Before the negative case action above, both parties had discussed the Claimant's claimed good cause.

The DHS representative testified that he had mapped out for the Claimant the bus-stop location near the Claimant's home in order for transportation to JET; and that if there had been communications regarding child care; he would have had the Claimant file a child care application; and that there was no application in Claimant's file.

The Claimant offered no evidence that it was beyond her control to have used the bus transportation to JET and did not file a child support application.

Therefore, good cause has not been established for Claimant's non-compliance with JET.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that good cause has not been established for JET non-compliance

Accordingly, FIP termination is **UPHELD**.

/s/
William A. Sundquist
Administrative Law Judge
For Maura D. Corrigan, Director
Department of Human Services

Date Signed: June 12, 2012

Date Mailed: June 13, 2012

NOTICE: Administrative Hearings 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. Administrative Hearings 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.

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The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing 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.

WAS/tb

cc:

