

**STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYTEM
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES**

IN THE MATTER OF:



Reg. No: 201254513
Issue No: 1017, 3002
Case No: [REDACTED]
Hearing Date: June 26, 2012
Washtenaw County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9; and MCL 400.37 upon claimant's request for a hearing. After due notice, a hearing was held on June 26, 2012. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly reduce Claimant's Family Independence Program (FIP) to Extended Family Independence Program (EFIP)?

Did the Department of Human Services properly reduce Claimant's Food Assistance Program (FAP) benefits?

FINDINGS OF FACT

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

1. Claimant was an ongoing recipient of Family Independence Program (FIP) and Food Assistance Program (FAP) benefits.
2. On April 1, 2012, Claimant began work at a new employer.
3. On May 16, 2012, the Department updated Claimants financial eligibility budgets. Claimant was sent a Notice of Case Action (DHS-1605) which stated her Family Independence Program (FIP) would be changing to Extended Family Independence Program (EFIP) and her Food Assistance Program (FAP) benefit would be reduced.
4. On May 22, 2012, Claimant submitted a timely request for hearing.

CONCLUSIONS OF LAW

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193,

8 USC 601, *et seq.* The Department of Human Services (DHS or department) administers the FIP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3101-3131. The FIP program replaced the Aid to Dependent Children (ADC) program effective October 1, 1996. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

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 Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

In this case Claimant's newly reported income from [REDACTED] was added to income from [REDACTED] which was already part of her financial eligibility budgets. Claimant testified that she was no longer working at [REDACTED]. Claimant also testified that she did not report her separation from [REDACTED] because she thought she was still on call with them. Claimant went on to say she was not getting called by [REDACTED] and that is why she sought work at [REDACTED]. Because Claimant did not report the loss of income from [REDACTED] the Department was correct to keep the budget income from Yellow Cab in Claimant's financial eligibility budgets.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly reduced Claimant's Family Independence Program (FIP) to Extended Family Independence Program (EFIP) and properly reduced Claimant's Food Assistance Program (FAP) benefits.

It is ORDERED that the actions of the Department of Human Services, in this matter, are **UPHELD**.

/s/ _____
Gary F. Heisler
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: July 3, 2012

Date Mailed: July 3, 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

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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.

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.

GFH/tb

cc:

