

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

IN THE MATTER OF:



Reg. No.: 201272941
Issue No.: 3008
Case No.: [REDACTED]
Hearing Date: October 2, 2012
County: Kent

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 following Claimant's request for a hearing. After due notice, a telephone hearing was held on October 2, 2012. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly close Claimant's Food Assistance Program (FAP) on June 30, 2012 because she failed to provide required verifications?

FINDINGS OF FACT

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

1. Claimant applied for and was an ongoing recipient of Food Assistance Program (FAP) benefits. Claimant's Food Assistance Program (FAP) was due for re-determination by June 30, 2012.
2. On June 27, 2012, Claimant returned her Redetermination Form (DHS-1010).
3. On June 29, 2012 Claimant was sent a Verification Checklist (DHS-3503). The required verifications were due on July 9, 2012.
4. On July 9, 2012, the Department had not received the required verifications.
5. On July 13, 2012, the Department sent Claimant a Notice of Case Action (DHS-1605) which stated her Food Assistance Program (FAP) benefits had ended on July 1, 2012.

6. On August 8, 2012, Claimant submitted a new application for Food Assistance Program (FAP) benefits.
7. On August 22, 2012, Claimant filed a hearing request.

CONCLUSIONS OF LAW

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

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 (formerly known as the Family Independence Agency) administers FAP pursuant to MCL 400.10, *et seq.*, and 1997 AACRS R 400.3001-3015

At this hearing Claimant testified that she brought in some of the required verification on July 11, 2012 and still needed to get shelter verification in. A detailed analysis of the evidence presented, applicable Department policies, and reasoning for the decision are contained in the recorded record. During the hearing Claimant was informed of the decision and the reasoning behind the decision.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department of Human Services properly closed Claimant's Food Assistance Program (FAP) on June 30, 2012 because she failed to provide required verifications.

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 Corrigan, Director
Department of Human Services

Date Signed: October 8, 2012

Date Mailed: October 9, 2012

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.

201272942/GFH

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:

