

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

IN THE MATTER OF:



Reg. No.: 201331613
Issue No.: 6021
Case No.: [REDACTED]
Hearing Date: June 6, 2013
County: Wayne County (#15)

ADMINISTRATIVE LAW JUDGE: MICHELLE HOWIE

SETTLEMENT ORDER

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 conducted on Thursday June 6, 2013 from Detroit, Michigan. The Claimant appeared and testified. Participant on behalf of the Department of Human Services (Department) was [REDACTED] (Assistant Payment Worker).

ISSUE

Whether the Department properly processed the Claimant's request for increased Child Development Care (CDC) hours?

FINDINGS OF FACT

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

1. The Claimant is an ongoing recipient of CDC benefits for family preservation.
2. In December 2012 the Claimant requested increased CDC hours for a medical reason.
3. On February 20, 2013, the Department received the Claimant's written hearing request concerning a delay in CDC eligibility.
4. At hearing the parties reached a settlement agreement.

CONCLUSIONS OF LAW

The Department of Human Services (DHS) 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 Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, the Child Care and Development 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 Federal Regulations, Parts 98 and 99. The Department provides services to adults and children pursuant to MCL 400.14(1) and 1999 AC, Rule 400.5001 through Rule 400.5015.

The law provides that disposition may be made of a contested case by stipulation 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 the hearing, the parties reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: increase Claimant's CDC hours upon receipt of written verification of the medical need.

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

DECISION AND ORDER

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. The Department shall process the Claimant request for increased CDC hours for family preservation in accordance with policy.
2. The Department shall send a verification checklist requesting Claimant to submit proof of the medical need for increased CDC hours by a specified date.
3. The Department shall notify the Claimant in writing of the action taken in regards to the CDC benefits.



Michelle Howie
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

201331613/MH

Date Signed: 6/18/2013

Date Mailed: 6/18/2013

NOTICE: The Claimant may appeal the 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.

MH/hw

cc:

