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

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Reg. No.: 2013-45086

Issue No.: 3000

Case No.:

Hearing Date: May 30, 2013 County: Oakland (03)

**ADMINISTRATIVE LAW JUDGE:** Michael J. Bennane

### 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 held on May 30, 2013, from Detroit, Michigan. Participants on behalf of Claimant included claimant. Participants on behalf of the Department of Human Services (Department) included

### **ISSUE**

Whether the Department properly:	
☐ denied Claimant's application for benefits☐ closed Claimant's case for benefits☐ reduced Claimant's benefits	
for:	
<ul> <li>☐ Family Independence Program (FIP)?</li> <li>☐ Food Assistance Program (FAP)?</li> <li>☐ Medical Assistance (MA)?</li> <li>☐ Adult Medical Assistance (AMP)?</li> </ul>	☐ State Disability Assistance (SDA)? ☐ Child Development and Care (CDC)? ☐ State Emergency Services (SER)?

### 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 1, 2013, the Department:
	<ul> <li>☐ denied Claimant's application for benefits</li> <li>☐ closed Claimant's case for benefits</li> <li>☑ reduced Claimant's benefits</li> </ul>
	under the following program(s):
	☐ FIP ☐ FAP ☐ MA ☐ AMP ☐ SDA ☐ CDC ☐ SER.
2.	On April 23, 2013, the Department sent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:
	☐ denial ☐ closure ☑ reduction.
3.	On April 29, 2013, Claimant filed a request for hearing concerning the Department's action.
	CONCLUSIONS OF LAW
Eligibi	rtment policies are found in the Bridges Administrative Manual (BAM), the Bridges ility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Manual (ERM).
progra impler Regul Agend	ne Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) am] is established by the Food Stamp Act of 1977, as amended, and is mented by the federal regulations contained in Title 7 of the Code of Federal ations (CFR). The Department (formerly known as the Family Independence by) administers FAP pursuant to MCL 400.10, et seq., and 1999 AC, Rule 001 through Rule 400.3015.
	aw provides that disposition may be made of a contested case by stipulation or d settlement. MCL 24.278(2).
	present case, Claimant requested a hearing to dispute the Department's action. after commencement of the hearing, the parties testified that they had reached a

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.

settlement concerning the disputed action. Consequently, the Department agreed to do

the following: recalculate the claimant's FAP benefits for April, 2013.

## **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 INITIATE THE FOLLOWING ACTION WITHIN TEN DAYS OF THE MAILING DATE OF THIS ORDER:

1. Recalculate the claimant's FAP benefits for April, 2013, and supplement for any missed benefits.

Michael J. Bennane
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: June 13, 2013

Date Mailed: June 13, 2013

**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. (60 days for FAP cases)

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.

# MJB/cl cc: