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

IN THE MATTER OF:			
	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2013-45402 3008 Benzie County DHS	
ADMINISTRATIVE LAW JUDGE: Kevin Scully			
HEARING DECIS	<u>ION</u>		
behalf of Claimant included as au adult benefit group member, and Participants on behalf of Department of Human S	or a hearing. n Lansing, Michig thorized hearings ,	After due notice, a gan. Participants on s representative and and	
<u>ISSUE</u>			
Due to a failure to comply with the verification requirements, did the Department properly \square deny Claimant's application \boxtimes close Claimant's case \square reduce Claimant's benefits for:			
		ssistance (SDA)? nt and Care (CDC)?	
FINDINGS OF FA	ACT		
The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, including testimony of witnesses, finds as material fact:			
 Claimant ☐ applied for ☒ was received CDC. 	ving: □FIP ⊠F/	AP □MA □SDA □	

۷.	Claimant \boxtimes was \square was not provided with a Verification Checklist (DHS-3503).
3.	Claimant was required to submit requested verification by
4.	On, the Department denied Claimant's application closed Claimant's case reduced Claimant's benefits for failure to submit verification in a timely manner.
5.	On, the Department sent notice of the denial of Claimant's application closure of Claimant's case reduction of Claimant's benefits.
6.	On, Claimant filed a hearing request, protesting the denial closure reduction.
	CONCLUSIONS OF LAW
	policies are found in the Bridges Administrative Manual (BAM), the Bridges nual (BEM) and the Reference Tables Manual (RFT).
Perso Law 1 Family and 1	Family Independence Program (FIP) was established pursuant to the nal Responsibility and Work Opportunity Reconciliation Act of 1996, Public 104-193, 42 USC 601, et seq. The Department (formerly known as the Independence Agency) administers FIP pursuant to MCL 400.10, et seq., 999 AC, R 400.3101 through Rule 400.3131. FIP replaced the Aid to indent Children (ADC) program effective October 1, 1996.
progra impler Feder Indep	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 al Regulations (CFR). The Department (formerly known as the Family endence Agency) administers FAP pursuant to MCL 400.10, et seq., and AC, R 400.3001 through Rule 400.3015.
Social Regul Indep	Medical Assistance (MA) program is established by the Title XIX of the Security Act and is implemented by Title 42 of the Code of Federal ations (CFR). The Department (formerly known as the Family endence Agency) administers the MA program pursuant to MCL 400.10, et and MCL 400.105.
	State Disability Assistance (SDA) program which provides financial ance for disabled persons is established by 2004 PA 344. The Department
	4. 5. 6. rtment pility Main The Ferso Law 1 Family and 1 Deper The Federal Independent The National Regulation in the Seq., at The

(formerly known as the Family Independence Agency) administers the SDA program pursuant to MCL 400.10, et seq., and 2000 AACS, R 400.3151 through Rule 400.3180.

Additionally, the Claimant testified that due to her sister's hospitalization, she was unable to provide the requested documentation by the due date.

The Claimant did not request an extension to the due date.
Based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department properly improperly

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 did not act properly.
Accordingly, the Department's decision is \boxtimes AFFIRMED \square REVERSED for the reasons stated on the record.
☐ THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:
<u>/s/</u>
Kevin Scully Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: <u>06/07/2013</u>

Date Mailed: <u>06/07/2013</u>

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 receipt 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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing <u>MAY</u> be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration <u>MAY</u> be granted for any of the following reasons:
- misapplication of manual policy or law in the hearing decision,
- typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
- the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at

Michigan Administrative hearings Reconsideration/Rehearing Request P. O. Box 30639 Lansing, Michigan 48909-07322

KS/kl

CC:

