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:	201319681 2006 January 30, 2013 Allegan County DHS		
ADMINISTRATIVE LAW JUDGE: C. Adam Pur	nell			
HEARING DECISION				
This matter is before the undersigned Administrated MCL 400.37 following Claimant's request telephone hearing was held on January 30, 20 personally appeared and provided testimony. Human Services (Department) included (Eligibility Specialist).	t for a hearing. 013 from Lansing, <u>Partici</u> pa <u>nts on</u> beh	After due notice, a Michigan. Claimant		
<u>ISSUE</u>				
Due to a failure to comply with the verificati properly ⊠ deny Claimant's application ☐ close benefits for:				
Family Independence Program (FIP)? Food Assistance Program (FAP)? Medical Assistance (MA)?		ent and Care (CDC)?		
FINDINGS OF FACT				
The Administrative Law Judge, based upon the evidence on the whole record, including testimor				
1. Claimant ⊠ applied for ☐ was receiving: ☐	FIP FAP MA	□SDA □CDC.		
 Claimant	rith Medical Detern	mination Verification		
 Claimant was required to submit requested November 29, 2012. 	verification by Nov	ember 19, 2012 and		

4.	On December 18, 2012, 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 December 18, 2012, the Department sent notice of the ☐ denial of Claimant's application. ☐ closure of Claimant's case. ☐ reduction of Claimant's benefits.
6.	On December 27, 2012, Claimant filed a hearing request, protesting the denial. closure. reduction.
	CONCLUSIONS OF LAW
	epartment policies are found in the Bridges Administrative Manual (BAM), the Bridges gibility Manual (BEM) and the Reference Tables Manual (RFT).
Re 42 Ag 31	The Family Independence Program (FIP) was established pursuant to the Personal esponsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, USC 601, et seq. The Department (formerly known as the Family Independence Jency) administers FIP pursuant to MCL 400.10, et seq., and 1997 AACS R 400.3101-31. FIP replaced the Aid to Dependent Children (ADC) program effective ctober 1, 1996.
pro im Re Ag	The Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) ogram] is established by the Food Stamp Act of 1977, as amended, and is plemented by the federal regulations contained in Title 7 of the Code of Federal egulations (CFR). The Department (formerly known as the Family Independence pency) administers FAP pursuant to MCL 400.10, et seq., and 1997 AACS R 0.3001-3015
Se Th	The Medical Assistance (MA) program is established by the Title XIX of the Social ecurity Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department (formerly known as the Family Independence Agency) administers the A program pursuant to MCL 400.10, et seq., and MCL 400.105.
for as	The State Disability Assistance (SDA) program which provides financial assistance disabled persons is established by 2004 PA 344. The Department (formerly known the Family Independence Agency) administers the SDA program pursuant to MCL 0.10, et seq., and 1998-2000 AACS R 400.3151-400.3180.
	The Child Development and Care (CDC) program is established by Titles IVA, IVE d 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 1997 AACS R 400.5001-5015.

Verification is usually required upon application or redetermination and for a reported change affecting eligibility or benefit level. BAM 130. Verifications are considered timely if received by the date they are due. BAM 130. The department must allow a client 10 calendar days (or other time limit specified in policy) to provide the requested verification. BAM 130. Should the client indicate a refusal to provide a verification or, conversely, if the time period given has elapsed and the client has not made a reasonable effort to provide it, the department may send the client a negative action notice. BAM 130.

Additionally, Claimant testified during the hearing that he did not have a dispute concerning Food Assistance Program.
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
☐ closed Claimant's case.☐ denied Claimant's application.☐ reduced Claimant's benefits.
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 \square did act properly. \square did not act properly.
Accordingly, the Department's decision is \boxtimes AFFIRMED \square REVERSED for the reasons stated on the record.
IT IS SO ORDERED.
/s/ C. Adam Purnell Administrative Law Judge For Maura Corrigan, Director Department of Human Services
Date Signed: January 30, 2013

Date Mailed: January 30, 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.

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.

CAP/cr

