

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

**IN THE MATTER OF:**



Reg. No.: 201322063  
Issue No.: 3008  
Case No.: [REDACTED]  
Hearing Date: February 13, 2013  
County: DHS- SSPC- East

**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 February 13, 2013. Claimant appeared but was unable to participate effectively due to her mental state. It was not possible to conduct an organized hearing so Claimant's comments and responses to questions were recorded. Claimant was then informed that this Administrative Law Judge would review the Department's action to see if it was correct. An organized hearing was then conducted on the record with DHS representatives from SSPC.

**ISSUE**

Did the Department of Human Services properly close Claimant's Food Assistance Program (FAP) beginning January 1, 2013 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. On November 29, 2012 an on line application for Food Assistance Program (FAP) benefits was submitted in Claimant's name.
2. On December 6, 2012, Claimant was approved for expedited Food Assistance Program (FAP) benefits. Claimant was sent a Verification Checklist (DHS Form 3503) requesting verification of reported checking and savings accounts as well as her shelter verification.

3. On January 4, 2013, the Department had not received the required verifications and had not been successful in trying to get any additional information from Claimant. The Department closed Claimant's Food Assistance Program (FAP) for failure to submit required verification in a timely manner and sent Claimant notice of the closure.
4. On January 14, 2013, Claimant filed a hearing request. AP Supervisor Bryant spoke to Claimant on the phone. Due to Claimant's mental state she did not understand the information Ms. Bryant gave.

### **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 AACSR 400.3001-3015

In this case the Department's evidence and actions were reviewed and found to be correct. A detailed analysis of the evidence presented, applicable Department policies, and reasoning for the decision are contained in the recorded record.

### **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) beginning January 1, 2013 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: February 15, 2013

Date Mailed: February 18, 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.

GFH/hj

cc:

