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

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IN THE MATTER OF.			
	Reg. No.: Issue No.: Case No.: Hearing Date: County:	2013-24817 1038 February 25, 2013 Wayne (17)	
ADMINISTRATIVE LAW JUDGE: Jan Levente	r		
HEARING DE	CISION		
This matter is before the undersigned Administrand MCL 400.37 following Claimant's requestelephone hearing was held on February 25, 20 on behalf of Claimant included the Claimant and the Department of Human Service Family Independence Specialist and Huda Qand	st for a hearing. 013, from Detroit, Model d his wife, s (Department) incli	After due notice, a ichigan. Participants . Participants	
ISSUE			
Did the Department properly \square deny Claiman for:	t's application 🛭 cl	ose Claimant's case	
Family Independence Program (FIP)? Food Assistance Program (FAP)? Medical Assistance (MA)?		sistance (AMP)? ssistance (SDA)? ent and Care (CDC)?	
FINDINGS OF	FACT		
The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:			
Claimant ☐ applied for benefits ☒ received benefits for:			
☐ Family Independence Program (FIP).☐ Food Assistance Program (FAP).☐ Medical Assistance (MA).	State Disability A	ssistance (AMP). Assistance (SDA). ent and Care (CDC).	

	losed Claimant's case ed to participate in the Work First program efits.
3. On January 3, 2013, the Department sent ☐ Claimant ☐ Claimant's Authorized notice of the ☐ denial. ☐ closure.	
 On January 14, 2013, Claimant filed a hea ☐ denial of the application. ☐ closure of 	
CONCLUSION	NS OF LAW
Department policies are contained in the B Bridges Eligibility Manual (BEM), and the Refe	
The Family Independence Program (FIP) Responsibility and Work Opportunity Recond 42 USC 601, et seq. The Department (for Agency) administers FIP pursuant to MCL 40 through Rule 400.3131. FIP replaced the A effective October 1, 1996.	ciliation Act of 1996, Public Law 104-193, merly known as the Family Independence 0.10, et seq., and 1999 AC, Rule 400.3101
☐ The Child Development and Care (CDC) and XX of the Social Security Act, the Chil 1990, and the Personal Responsibility and Work The program is implemented by Title 45 of t and 99. The Department provides services 400.14(1) and 1999 AC, Rule 400.5001 through	ld Care and Development Block Grant of ork Opportunity Reconciliation Act of 1996. The Code of Federal Regulations, Parts 98 to adults and children pursuant to MCL
Additionally, Bridges Eligibility Manual (E Sufficiency-Related Activities: FIP," is the D case. BEM 230A states that if a client reque- and information will be reviewed by the De The MRT's decision is not appealable to the	repartment policy that is applicable in this sts a medical deferral, the medical records epartment's Medical Review Team (MRT).

In this case the Claimant challenges the MRT decision that he is work-ready. Pursuant to BEM 230A and BAm 600 cited above, the MRT decision is not an appealable subject. Therefore the Department shall be upheld. *Id.*

Department of Human Services Bridges Eligibility Manual (BEM) 230A (2012), pp. 9-11; Department of Human Services Bridges Administrative Manual (BAM) 600 (2012), p. 3.

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 denied Claimant's application□ properly closed Claimant's case	improperly denied Claimant's application improperly closed Claimant's case				
or:					
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. ☐ did not act properly.					
Accordingly, the Department's AMP FIP FAP MA SDA CDC decision is AFFIRMED REVERSED for the reasons stated on the record.					
	Jan Leventer Administrative Law Judge for Maura Corrigan, Director Department of Human Services				

Date Signed: February 28, 2013

Date Mailed: March 1, 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.

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 **MAY** 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.

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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

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