

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

IN THE MATTER OF:



Reg. No.: 201326448
Issue No.: 1005
Case No.: [REDACTED]
Hearing Date: March 7, 2013
County: St. Clair

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 upon claimant's request for a hearing. After due notice, a hearing was held on March 7, 2013. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly close Claimant's Family Independence Program (FIP) for failure to provide needed documentation?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material and substantial evidence on the whole record, finds as material fact:

- (1) Claimant was an ongoing recipient of Family Independence Program (FIP) benefits. Claimant was temporarily deferred from JET participation based on post partum recovery.
- (2) Before Claimant was scheduled to start JET participation on November 5, 2012, she contacted her case worker and asserted she is disabled.
- (3) On November 26, 2012, Claimant was sent a Medical Determination Verification Checklist (DHS-3503-MRT) and associated medical forms. The documentation was due back on December 6, 2012.
- (4) On January 3, 2013, Claimant was again sent a Medical Determination Verification Checklist (DHS-3503-MRT) and associated medical forms. The documentation was due back on January 14, 2013.
- (5) On January 17, 2013, the Department had not received the Medical Determination Verification Checklist (DHS-3503-MRT) and associated medical forms. Claimant was sent a Notice of Case Action (DHS-1605)

which stated her Family Independence Program (FIP) would close on February 1, 2013 due to failure to submit required documentation.

- (6) On January 28, 2013, Claimant submitted a request for hearing.

CONCLUSIONS OF LAW

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 8 USC 601, *et seq.* The Department of Human Services (DHS or department) administers the FIP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3101-3131. The FIP program replaced the Aid to Dependent Children (ADC) program effective October 1, 1996. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

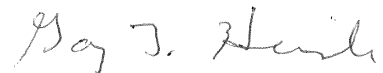
Department of Human Services Bridges Eligibility Manual (BEM) 230A (2012) states: "For verified disabilities over 90 days, the specialist must submit a completed medical packet and obtain a Medical Review Team (MRT) decision. The client must provide DHS with the required documentation such as the DHS-49 series, medical and/or educational documentation needed to define the disability. If the client does not provide the requested verifications, the FIP should be placed into closure for failure to provide needed documentation."

Claimant asserts that she was unable to get the documents filled out because she could not get an appointment with her psychiatrist. Claimant was granted all the extensions allowed under Department policy. The Department closed her case in accordance with their policy.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides the Department of Human Services properly closed Claimant's Family Independence Program (FIP) for failure to provide needed documentation.

It is ORDERED that the actions of the Department of Human Services, in this matter, are **UPHELD**.



Gary F. Heisler
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: March 19, 2013

Date Mailed: March 19, 2013

NOTICE: Administrative Hearings 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. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 60 days of the filing of the original request.

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.

GFH/tb

cc:

