

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201344948
Issue No.: 3008
Case No.: [REDACTED]
Hearing Date: June 4, 2013
County: Macomb 20

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 telephone hearing was held on June 4, 2013. Claimant appeared and testified.

ISSUE

Did the Department of Human Services properly deny Claimant's April 3, 2013 application for Food Assistance Program (FAP) benefits?

FINDINGS OF FACT

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

- (1) On March 5, 2013, Claimant's Food Assistance Program (FAP) was closed for failure to provide requested verifications including verification of a [REDACTED].
- (2) On April 3, 2013, Claimant submitted a new application for Food Assistance Program (FAP) benefits. The application was accompanied by an August 27, 2012 statement of the [REDACTED] [REDACTED] showing a \$ [REDACTED] balance.
- (3) On April 11, 2013, Claimant was sent a Verification Checklist (DHS Form 3503) which requested verification of Claimant's [REDACTED]. The Verification Checklist (DHS Form 3503) also specified that the Department needed either an account closure letter from the financial institution or the most recent account statement for the account. The verification was due April 22, 2013.
- (4) On April 23, 2013, Claimant submitted a blank Verification of Assets form (DHS-20) for [REDACTED].

- (5) On April 30, 2013, Claimant was sent a Notice of Case Action (DHS-1605) which stated his Food Assistance Program (FAP) application was denied.
- (6) On May 6, 2013, Claimant submitted a request for hearing.

CONCLUSIONS OF LAW

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 of Human Services (DHS or department) administers the FAP program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3001-3015. Department policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM) and the Program Reference Manual (PRM).

A lack of verification for the [REDACTED] is the reason for denial. Claimant asserts that [REDACTED] will not give provide any kind of verification other than the August 27, 2012 [REDACTED] showing a \$ [REDACTED] balance. Regardless of what Claimant may think he was told by [REDACTED], Claimant's assertion is not credible. It is also noted that in spite of the Department's specification of what was sufficient verification, Claimant did not request assistance from the Department in obtaining the required verification.

Denial of Claimant's application for failure to provide a required verification is a correct act in accordance with Department 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 denied Claimant's April 3, 2013 application for Food Assistance Program (FAP) benefits.

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 D. Corrigan, Director
Department of Human Services

Date Signed: 6/14/13

Date Mailed: 6/14/13

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:

