

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

**IN THE MATTER OF:**



Reg. No.: 201346242  
Issue No.: 3008  
Case No.: [REDACTED]  
Hearing Date: June 11, 2013  
County: Genesee 06

**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 June 11, 2013. Claimant and her [REDACTED], [REDACTED], appeared and testified.

**ISSUE**

Did the Department of Human Services properly deny Claimant's January 9, 2013 and February 12, 2013 applications 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 January 9, 2013, Claimant submitted an application for Food Assistance Program (FAP) and Medical Assistance (MA) benefits. Claimant was approved for expedited Food Assistance Program (FAP) benefits.
- (2) On January 15, 2013, Claimant was sent a Verification Checklist (DHS Form 3503) requesting disability, income, expense, and asset verifications. The verifications were due on January 25, 2013.
- (3) On February 4, 2013, Claimant submitted medical documentation.
- (4) On February 5, 2013, Claimant was sent a Notice of Case Action (DHS-1605) which stated her Food Assistance Program (FAP) application was denied and she would receive no FAP benefits beginning February 1, 2013.

- (5) On February 12, 2013, Claimant submitted an application for Food Assistance Program (FAP) benefits.
- (6) On February 19, 2013, Claimant was sent a Verification Checklist (DHS Form 3503) requesting income, expense, and asset verifications. The verifications were due on March 1, 2013.
- (7) On April 5, 2013, Claimant was sent a Notice of Case Action (DHS-1605) which stated her Food Assistance Program (FAP) application was denied.
- (8) On April 16, 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).

At this hearing the Department case worker testified that there were no income, expense, and asset verifications in Claimant's case file. Claimant testified that she though she sent in the required verifications along with medical documentation on February 4, 2013 for the first application.

Based on the totality of the evidence in the record, and in consideration of the consequences of the two witness' opposing testimony on this issue, the Department case worker's testimony is found more credible.

### **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 January 9, 2013 and February 12, 2013 applications 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: 6/17/13

Date Mailed: 6/18/13

**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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** 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

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

GFH/tb

cc:

