

STATE OF MICHIGAN
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
ADMINISTRATIVE HEARINGS FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:



Reg. No.: 2013790
Issue No.: 1052, 2018, 3055
Case No.: [REDACTED]
Hearing Date: January 8, 2013
County: Gratiot County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

ORDER OF DISMISAL

This matter is before the undersigned Administrative Law Judge for a Intentional Program Violation hearing pursuant to MCL 400.9 and MCL 400.37, 7 CFR 273.16, MAC R 400.3130, and MAC R 400.3178 upon the Department of Human Services' request. After due notice, a hearing was scheduled for January 8, 2013. Respondent appeared and testified.

During the hearing it was determined that the Department has combined more than one over-issuance period into this requested hearing. The Office of Inspector General representative elected to proceed on only the first over-issuance period which began in late 2010.

The basis of the Department's case is that Respondent had reported her husband was not in the home but he in fact was and his income was not used in determining her eligibility. Respondent had reported that her husband was giving her \$ [REDACTED] per week. While reviewing Respondent's financial eligibility budgets it was found that the Recoupment Specialist had included all of the husband's earned income plus the \$ [REDACTED] Respondent reported she was receiving from him. All the financial eligibility budgets the Department submitted as evidence are incorrect because they are counting \$ [REDACTED] of the husband's income twice.

The entirety of the Department's case is dismissed without prejudice.

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

Date Signed: January 14, 2013
Date Mailed: January 15, 2013

2013790/GFH

NOTICE: The law provides that within 30 days of receipt of the above Decision and Order, the Respondent may appeal it to the Circuit Court for the County in which he/she lives.

GFH/hj

cc:

