

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

**IN THE MATTER OF:**



Reg. No.: 201335858  
Issue No.: 1030  
Case No.: [REDACTED]  
Hearing Date: June 20, 2013  
County: Wayne County (#57)

**ADMINISTRATIVE LAW JUDGE: MICHELLE HOWIE**

**SETTLEMENT ORDER**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's March 8, 2013 request for a hearing. After due notice, a telephone hearing was held conducted on Thursday, June 20, 2013, from Detroit, Michigan. The Claimant appeared and testified. Participant on behalf of the Department of Human Services (Department) was [REDACTED] (Family Independence Manager).

**ISSUE**

Whether the Claimant received an over-issuance of FIP program benefits that the Department is entitled to recoup?

**FINDINGS OF FACT**

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

1. The Claimant is an ongoing FIP recipient that received benefits during the period of February 2012 through March 2013 Claimant.
2. In February 2012, the Department improperly determined the Claimant received an over issuance of FIP benefits
3. The Department improperly reduced Claimant FIP benefits due to recoupment over a period of time as of April 1, 2012.

4. On March 8, 2013, the Department received Claimant's written hearing request concerning the Department's action.
5. At hearing, the parties reached a settlement.

### **CONCLUSIONS OF LAW**

The Department of Human Services (DHS) policies are found in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), the Reference Tables Manual (RFT), and the State Emergency Relief Manual (ERM).

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 42 USC 601, *et seq.* The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10, *et seq.*, and 1999 AC, Rule 400.3101 through Rule 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In the present case, Claimant requested a hearing to dispute the Department's recoupment action. Soon after commencement of the hearing, the parties reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: Remove the recoupment from Claimant's case; and issue Claimant a supplement for lost FIP benefits due to the improper recoupment action for the period in question.

As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

### **DECISION AND ORDER**

The Administrative Law Judge concludes that the Department and Claimant have come to a settlement regarding Claimant's request for a hearing.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING WITHIN 10 DAYS:

1. The Department shall remove the recoupment action from Claimant's FIP case for the period in question.
2. The Department shall issue Claimant a supplement for lost FIP benefits

due to the improper recoupment action for the period in question in accordance with policy.

*M. Howie*

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**Michelle Howie**  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: 6/27/2013

Date Mailed: 6/27/2013

**NOTICE:** 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.

MH/hw

cc:

