

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 2013-38077  
Issue No.: 1000, 2000, 3000  
Case No.: [REDACTED]  
Hearing Date: July 10, 2013  
County: Wayne (82-17)

**ADMINISTRATIVE LAW JUDGE:** Alice C. Elkin

**SETTLEMENT ORDER**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a telephone hearing was held on July 13, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant and [REDACTED]. Participants on behalf of the Department of Human Services (Department) included [REDACTED].

**ISSUE**

Whether the Department properly closed Claimant's Family Independence Program (FIP) and Medical Assistance (MA) cases and reduced her Food Assistance Program (FAP) benefits due to her noncompliance with child support reporting obligations.

**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 FIP, MA and FAP benefits.
2. On February 21, 2013, the Department sent Claimant a Notice of Case Action notifying her that, effective April 1, 2013, due to her noncompliance with child support reporting obligations, her FIP case would close and her FAP benefits would be reduced.
3. On March 4, 2013, Claimant filed a request for hearing, disputing the Department's actions concerning her FIP case.

## **CONCLUSIONS OF LAW**

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), Reference Tables Manual (RFT), and 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 Mich Admin Code, R 400.3101 through R 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.

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 (formerly known as the Family Independence Agency) administers FAP pursuant to MCL 400.10, *et seq.*, and Mich Admin Code, R 400.3001 through R 400.3015.

The Medical Assistance (MA) program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

In the present case, Claimant requested a hearing to dispute the Department's actions concerning her FIP case. Because the child support sanction that resulted in the closure of Claimant's FIP case also affected Claimant's MA coverage and FAP benefits, the Department's actions concerning all three cases were considered at the hearing.

OCS participated at the hearing and testified that Claimant had complied with her child support reporting obligations, effective as of March 1, 2013. At the hearing, the Department reviewed the information on its system showing a child support cooperation date of March 1, 2013. The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). Based on the evidence presented, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: (1) reinstate Claimant's FIP and MA cases effective April 1, 2013; (2) recalculate Claimant's monthly FAP benefits in accordance with Department policy to include Claimant as a qualified member of her FAP group from April 1, 2013, ongoing; (3) issue supplements to Claimant for any FIP and/or FAP benefits Claimant was eligible to receive but did not from April 1, 2013, ongoing; (4) provide MA coverage to Claimant that she is eligible to receive from April 1, 2013, ongoing; and (5) notify Claimant in writing of any supplements in accordance with Department policy.

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:

1. Reinstate Claimant's FIP and MA cases effective April 1, 2013;
2. Recalculate Claimant's monthly FAP benefits in accordance with Department policy to include Claimant as a qualified member of her FAP group from April 1, 2013, ongoing;
3. Issue supplements to Claimant for any FIP and/or FAP benefits Claimant was eligible to receive but did not from April 1, 2013, ongoing;
4. Provide MA coverage to Claimant that she is eligible to receive from April 1, 2013, ongoing; and
5. Notify Claimant in writing of any supplements in accordance with Department policy.



**Alice C. Elkin**  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: July 15, 2013

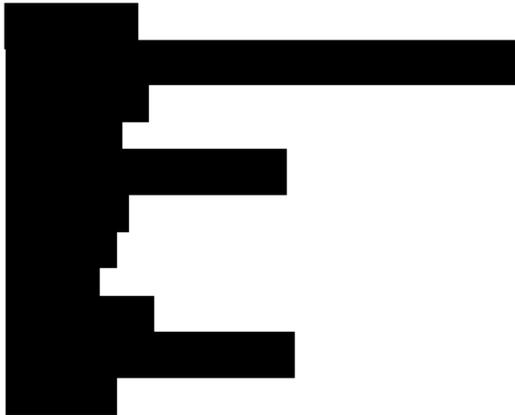
Date Mailed: July 16, 2013

**NOTICE:** Michigan Administrative Hearing System (MAHS) 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. MAHS will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request. (60 days for FAP cases)

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.

ACE/pf

cc:

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