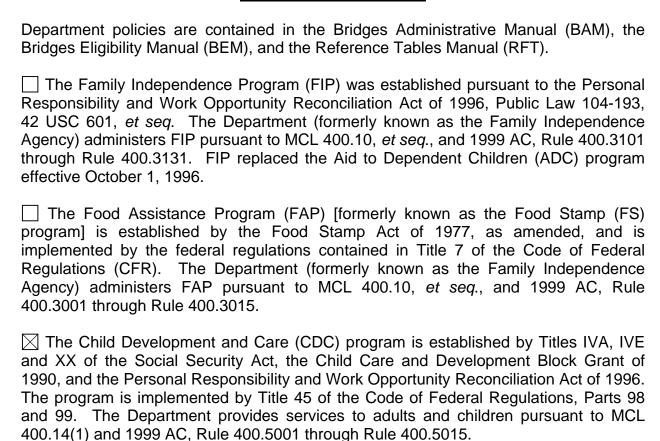
STATE OF MICHIGAN MICHIGAN ADMINISTRATIVE HEARING SYSTEM ADMINISTRATIVE HEARINGS FOR THE DEPARTMENT OF HUMAN SERVICES

| IN | THE MATTER OF: | | |
|-----------------|---|--|--|
| | | Reg. No.: Issue No.: Case No.: Hearing Date: County: | 6019 July 10, 2013 Muskegon |
| ΑĽ | MINISTRATIVE LAW JUDGE: Kevin Scull | у | |
| | HEARING DE | ECISION | |
| an tel be | is matter is before the undersigned Adminis d MCL 400.37 following Claimant's requeephone hearing was held on July 10, 2013, half of Claimant included . Human Services (Department) included | est for a hearing. from Lansing, Michi | After due notice, a |
| | ISSUI | Ē | |
| Dio for | d the Department properly 🛛 deny Claima : | nt's application 🔲 c | lose Claimant's case |
| | Family Independence Program (FIP)? Food Assistance Program (FAP)? Medical Assistance (MA)? | State Disability A | ssistance (AMP)? Assistance (SDA)? ent and Care (CDC)? |
| | FINDINGS O | F FACT | |
| | e Administrative Law Judge, based on tl idence on the whole record, finds as materia | • | rial, and substantial |
| 1. | Claimant ⊠ applied for benefits ☐ received benefits for: | | |
| | Family Independence Program (FIP). Food Assistance Program (FAP). Medical Assistance (MA). | | ssistance (AMP). Assistance (SDA). ent and Care (CDC). |
| 2. | On April 12, 2013, the Department sent the denied Claimant's application due to countable income exceeding the income | closed Claimant | |
| 3. | On April 22, 2013, Claimant filed a hearing request, protesting the ☐ closure of the case. | | |

CONCLUSIONS OF LAW



All earned and unearned income available to the Claimant is countable. Earned income means income received from another person or organization or from self-employment for duties for duties that were performed for compensation or profit. Unearned income means all income that is not earned, including but not limited to funds received from the Family Independence Program (FIP), State Disability Assistance (SDA), Child Development and Care (CDC), Medicaid (MA), Social Security Benefits (RSDI/SSI), Veterans Administration (VA), Unemployment Compensation Benefits (UCB), Adult Medical Program (AMA), alimony, and child support payments. The amount counted may before than the client actually receives because the gross amount is used prior to any deductions. Department of Human Services Bridges Eligibility Manual (BEM) 500 (January 1, 2013).

All income is converted to a standard monthly amount. If the client is paid weekly, the Department multiplies the average weekly amount by 4.3. If the client is paid every other week, the Department multiplies the average bi-weekly amount by 2.15. Department of Human Services Bridges Eligibility Manual (BEM) 405 (October 1, 2010), pp 6-7.

This Administrative Law Judge finds that the Department properly determined the Claimant's countable monthly earned income and properly applied this income in its determination of eligibility for the Child Development and Care (CDC) program.

| Based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, the Administrative Law Judge concludes that the Department | | | | |
|---|--|--|--|--|
| ☑ properly denied Claimant's application☑ properly closed Claimant's case | ☐ improperly denied Claimant's application☐ improperly closed Claimant's case | | | |
| for: | | | | |
| DECISION AND ORDER | | | | |
| The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department ☐ did not act properly. ☐ did not act properly. | | | | |
| Accordingly, the Department's AMP FIP FAP MA SDA CDC decision is AFFIRMED REVERSED for the reasons stated on the record. | | | | |
| Date Signed: <u>07/11/2013</u> | /s/ Kevin Scully Administrative Law Judge for Maura Corrigan, Director Department of Human Services | | | |
| Date digited. Offitizord | | | | |

Date Mailed: <u>07/11/2013</u>

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.

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 affect the substantial rights of the claimant,
 - 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 48909-07322

KS/sw

cc: