

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

IN THE MATTER OF:



Reg. No.: 201346153
Issue No.: 1000
Case No.: [REDACTED]
Hearing Date: July 24, 2013
County: Wayne County (#17)

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 request for a hearing. After due notice, a telephone hearing was conducted on Wednesday, July 24, 2013, from Detroit, Michigan. Participants on behalf of Claimant included [REDACTED] (Friend) and Claimant. Participant on behalf of the Department of Human Services (Department) was [REDACTED] (Family Independence Specialist).

ISSUE

Whether the Department properly:

- denied Claimant's application for benefits
- closed Claimant's case for benefits
- reduced Claimant's benefits

for:

- Family Independence Program (FIP)?
- Food Assistance Program (FAP)?
- Medical Assistance (MA)?
- Adult Medical Assistance (AMP)?
- State Disability Assistance (SDA)?
- Child Development and Care (CDC)?
- State Emergency Services (SER)?

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 May 1, 2013, the Department:

- denied Claimant's application for benefits
- closed Claimant's case for benefits
- reduced Claimant's benefits

under the following program(s):

- FIP
- FAP
- MA
- AMP
- SDA
- CDC
- SER.

2. On March 22, 2013 , the Department sent notice to Claimant (or Claimant's Authorized Hearing Representative) of the:

- denial
- closure
- reduction.

3. On May 8, 2013, Claimant filed a request for hearing concerning the Department's action.

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 action. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. Consequently, the Department agreed to do the following: Reinstate Claimant's cash assistance to the date of closure because Claimant is part of the grandfather clause and the case was closed in error, per the Department representative.

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 OF THIS DECISION AND ORDER:

1. The Department shall reinstate Claimant's cash assistance (FIP) case to the effective date of closure (5/1/2013); and issue a supplement for loss of FIP benefits, if any, in accordance with Department policy.

M. Howie

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

Date Signed: 8/13/2013

Date Mailed: 8/13/2013

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:

