

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

**IN THE MATTER OF:**



Reg. No.: 2013-55842  
Issue No.: 2000; 3000  
Case No.: [REDACTED]  
Hearing Date: August 21, 2013  
County: Wayne (19)

**ADMINISTRATIVE LAW JUDGE:** Eric Feldman

**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 August 21, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED] Assistant Payment Worker, and [REDACTED] Family Independence Manager.

**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. Claimant was an ongoing recipient of MA benefits.
2. On May 14, 2013, the Department sent Claimant a Redetermination, which was due back by June 3, 2013. Exhibit 1.

3. On June 17, 2013, the Department sent Claimant a Notice of Case Action notifying her that her MA benefits would close effective July 1, 2013, ongoing, due to her failure to submit a redetermination. Exhibit 1.
4. On June 21, 2013, Claimant submitted a redetermination. Exhibit 1.
5. On June 28, 2013, Claimant filed a hearing request, disputing her MA and Food Assistance Program (FAP) benefits. Exhibit 1.

### **CONCLUSIONS OF LAW**

Department 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 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.

As a preliminary matter, during the hearing, Claimant testified that she is no longer protesting her FAP hearing request. See Exhibit 1. Thus, Claimant's June 28, 2013 FAP hearing request is hereby DISMISSED.

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: initiate reinstatement of Claimant's MA case as of July 1, 2013, ongoing; begin recalculating the MA budget for July 1, 2013, ongoing, in accordance with Department policy; begin issuing supplements to Claimant for any MA benefits she was eligible to receive but did not from July 1, 2013, ongoing; and begin notifying Claimant in writing of its MA decision 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 INITIATE THE FOLLOWING ACTION WITHIN TEN DAYS OF THE MAILING DATE OF THIS ORDER:

1. Initiate reinstatement of Claimant's MA case as of July 1, 2013, ongoing;
2. Begin recalculating the MA budget for July 1, 2013, ongoing, in accordance with Department policy;
3. Begin issuing supplements to Claimant for any MA benefits she was eligible to receive but did not from July 1, 2013, ongoing; and
4. Begin notifying Claimant in writing of its MA decision in accordance with Department policy.

Based on the above discussion, it is ALSO ORDERED that Claimant's June 28, 2013 FAP hearing request is DISMISSED.



**Eric Feldman**  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: August 27, 2013

Date Mailed: August 27, 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.

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