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

DEPARTMENT OF HUMAN SERVICES			
IN THE MATTER OF:			
	Reg. No.: Issue Nos.: Case No.: Hearing Date: County:	2013-64735 1005, 2006, 3002, 5016 October 14, 2013 Wayne (82-15)	
ADMINISTRATIVE LAW JUDGE: Michael J. Bennane			
HEARING DECISION			
Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99.33; and 45 CFR 205.10. After due notice, a telephone hearing was held on October 14, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included			
<u>ISSUE</u>			
Did the Department properly \boxtimes deny Claimant's application \square close Claimant's case for:			
☐ Food Assistance Program (FAP)?☐ Medical Assistance (MA)?			
FINDINGS OF FACT			
The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:			
Claimant ⊠ applied for ☐ received: ⊠ FIP ☑ FAP ☑ MA ☐ AMP ☐ Seption is benefits.	SDA 🗆 CDC	⊠ SER □ SSP	

On September 1, 2013, the Department

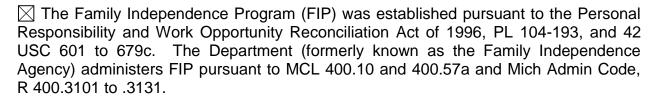
due to Claimant's failure to provide verifications.

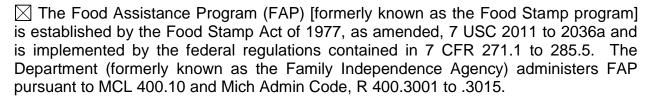
☐ denied Claimant's application ☐ closed Claimant's case

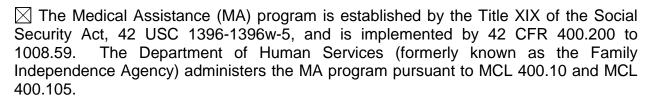
- 3. On August 20, 2013, the Department sent Claimant/Claimant's Authorized Representative (AR) its decision.
- 4. On September 4, 2013, Claimant/Claimant's Authorized Hearing Representative (AHR) filed a hearing request, protesting the Department's actions.

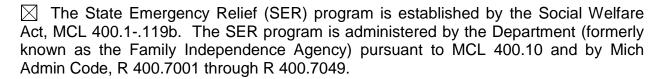
CONCLUSIONS OF LAW

Department policies are contained in the Department of Human Services Bridges Administrative Manual (BAM), Department of Human Services Bridges Eligibility Manual (BEM), and Department of Human Services Reference Tables Manual (RFT).









Additionally, at the hearing, the Department explained that Claimant already was receiving cash assistance through the Social Security Administration (SSA) and, likewise, was receiving MA as Claimant was declared disabled by the SSA as well.

The Department also denied Claimant's application for utility payment's and repair of his home because Claimant failed to provide the Department with estimates of the cost of the proposed repairs.

The Department approved Claimant for FAP.

The Administrative Law Judge, based upon the of Law, and for the reasons stated on the reco			
 □ acted in accordance with Department policy and SER applications. □ did not act in accordance with Department □ failed to satisfy its burden of showing that it policy when it □ . 	policy when it		
DECISION AND ORDER			
Accordingly, the Department's decision is			
☐ AFFIRMED.☐ REVERSED.☐ AFFIRMED IN PART with respect to to .	and REVERSED IN PART with respect		
	Julyn		
	Michael J. Bennane Administrative Law Judge		
	for Maura Corrigan, Director		
Date Signed: November 25, 2013	Department of Human Services		
Date Mailed: November 25, 2013			

NOTICE OF APPEAL: 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 or Reconsideration was made, within 30 days of the receipt date of the Decision and Order of Reconsideration or Rehearing Decision.

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).

A Request for Rehearing or Reconsideration may be granted when one of the following exists:

- Newly discovered evidence that existed at the time of the original hearing that could affect the outcome of the original hearing decision;
- Misapplication of manual policy or law in the hearing decision which led to a wrong conclusion;
- Typographical, mathematical or other obvious error in the hearing decision that affects the rights of the client;
- Failure of the ALJ to address in the hearing decision relevant issues raised in the hearing request.

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The Department, AHR or the claimant must specify all reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration. A request must be *received* in MAHS within 30 days of the date the hearing decision is mailed.

The written request must be faxed to (517) 335-6088 and be labeled as follows:

Attention: MAHS Rehearing/Reconsideration Request

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings Reconsideration/Rehearing Request P.O. Box 30639 Lansing, Michigan 48909-07322

MJB/pf

