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:	2014 11580 3003 December 5, 2013 Wayne (55)
ADMINISTRATIVE LAW JUDGE: Lynn M. Ferris		
HEARING DECIS	SION	
Following Claimant's request for a hearing, this Administrative Law Judge pursuant to MCL 400.9 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99 notice, telephone hearing was held on Decemb Participants on behalf of Claimant included the claimant included the Claimant. Participants on b Services (Department) included er, ES.	and 400.37; 7 CF .33; and 45 CFR er 5, 2013, fron imant.	R 273.15 to 273.18; 205.10. After due n Detroit, Michigan. appeared as an
<u>ISSUE</u>		
Due to a failure to comply with the verification properly \square deny Claimant's application \boxtimes close 0 benefits for:		
Food Assistance Program (FAP)?		ogram (AMP)? ssistance (SDA)? nt and Care (CDC)?
FINDINGS OF FA	<u>ACT</u>	
The Administrative Law Judge, based upon the evidence on the whole record, including testimony	-	
Claimant ⊠ applied for ☐ received: ☐FIP ☑FAP ☐MA ☐ AMP ☐SD	A ∏CDC	

benefits.

2.	Claimant was required to submit requested verification of bank account (checking account) information by October 21, 2013. Exhibit 1.	
3.	On October 3, 2013, the Department ☑ denied Claimant's application. ☐ closed Claimant's case. ☐ reduced Claimant's benefits.	
4.	On October 24, 2013, the Department sent Claimant/Claimant's Authorized Representative (AR) notice of its action.	
5.	On November 1, 2013, Claimant/Claimant's Authorized Hearing Representative (AHR) filed a hearing request, protesting the Department's action.	
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).		
∑ The Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food Stamp Act of 1977, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 271.1 to 285.5. The Department (formerly known as the Family Independence Agency) administers FAP pursuant to MCL 400.10 and Mich Admin Code, R 400.3001 to .3015.		
info This of v dete app	litionally, at the hearing the claimant agreed that he did not provide the bank account rmation as requested by the Department in response to the Verification Checklist. It is decision was also influenced by the fact that at all times the claimant was advised what he was required to provide through use of interpreters. Therefore it is ermined that pursuant to BAM 130 the Department properly denied the claimant's lication for Food Assistance. As stated at the hearing, the claimant may reapply for d Assistance at any time.	

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of

⊠ acted in accordance with Department policy when it denied claimant's application for

Law, and for the reasons stated on the record, if any finds that the Department

Food Assistance for failure to provide bank account information.

DECISION AND ORDER

Accordingly, the Department's decision is

AFFIRMED.

Lynn M. Ferris
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: December 10, 2013

Date Mailed: December 10, 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.

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

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