

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201321226

Issue No: 1000

Case No: [REDACTED]

Hearing Date: May 29, 2013

Monroe County DHS

ADMINISTRATIVE LAW JUDGE: Suzanne D. Sonneborn

SETTLEMENT ORDER

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon Claimant's request for a hearing received by the Department of Human Services (department) on December 17, 2012. After due notice, a telephone hearing was held on May 29, 2013. Claimant appeared and provided testimony. The department was represented by [REDACTED], a family independence manager, and [REDACTED], a family independence specialist, both with the department's Monroe County office.

The regulations regarding the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code (MAC) R 400.901 -.951. Any hearing request which protests a denial, reduction or termination of benefits must be filed within 90 days of the mailing of the negative action notice. MAC R 400.902; MAC R 400.903; MAC R 400.904. The law, MCL 24.278(2), provides that a disposition may be made of a contested case hearing by stipulation or agreed settlement.

During the May 29, 2013 hearing, both Claimant and the department's representative acknowledged that, while Claimant's hearing request pertained to both the Family Independence Program (FIP) and the State Emergency Relief (SER) program, the only outstanding issue to be resolved at the hearing was whether Claimant was entitled to a supplement of FIP benefits in the amount of \$97.00 per month during the benefit period December 1, 2011 through November 30, 2012. On this issue, the department's representative further acknowledged that Claimant was indeed entitled to such a supplement during this time period because Claimant should have received \$403.00 per month during this time period instead of the \$306.00 that she actually received. The department therefore agreed to submit a Help Desk remedy ticket to request that this issue be resolved and Claimant be accordingly issued a FIP benefit supplement in the amount of \$1,164.00. Claimant indicated that she understood and agreed with the department's proposed settlement.

DECISION AND ORDER

The Administrative Law Judge, based on the aforementioned agreed upon settlement, **ORDERS** that the department shall immediately submit an expedited remedy ticket to issue Claimant supplemental FIP benefits for the benefit period December 1, 2011 through November 30, 2012 in the amount of \$97.00 per month, for a total supplement of \$1,164.00.

IT IS SO ORDERED.

/s/ _____

Suzanne D. Sonneborn
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: May 30, 2013

Date Mailed: May 30, 2013

NOTICE: The 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 Settlement 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.

Claimant may appeal this Settlement Order to Circuit Court within 30 days of the receipt of the Settlement Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

SDS/aca

cc:

