

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-34365
Issue No.: 1000
Case No.: [REDACTED]
Hearing Date: April 8, 2013
County: Wayne (17)

ADMINISTRATIVE LAW JUDGE: Colleen M. Mamelka

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 Monday, April 8, 2013, from Detroit, Michigan. The Claimant appeared and testified. Participating on behalf of the Department of Human Services ("Department") was [REDACTED].

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. Pursuant to a February 19, 2013 Hearing Decision, the Department was required to determine FIP eligibility and to supplement for lost benefits.

2. For the period from March 16, 2012, ongoing, the Claimant did not receive FIP benefits.
3. On March 7, 2013, the Department received the Claimant's timely written request for hearing.

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 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 Mich Admin Code, Rules 400.3101 through R 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, the Department agreed that the Claimant was entitled to FIP benefits for the period of March 16, 2012 through the date of the hearing. The Department had submitted a help desk ticket (BR009499) to resolve the issue. As of the date of hearing, the FIP supplement had not issued. During the hearing, the Department agreed to supplement the Claimant for FIP benefits for the period from March 16, 2012, ongoing, if otherwise eligible and qualified. The Claimant was amendable to the resolution leaving no other issue to address.

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 SHALL INITIATE WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER, THE FOLLOWING:

1. Supplement the Claimant for FIP benefits effective March 16, 2012, ongoing, if otherwise eligible and qualified and in accordance with Department policy.

Colleen M. Mamelka

Colleen M. Mamelka
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: April 11, 2013

Date Mailed: April 15, 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.

CMM/tm

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