

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 201337784  
Issue No.: 1038  
Case No.: [REDACTED]  
Hearing Date: April 25, 2013  
County: Wayne County (#18)

**ADMINISTRATIVE LAW JUDGE: MICHELLE HOWIE**

**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 conducted on Thursday, April 25, 2013, from Detroit, Michigan. Participants on behalf of Claimant included the Claimant and her mother [REDACTED]. Participants on behalf of the Department of Human Services (Department) included [REDACTED] (Case Manager) and [REDACTED] PATH Coordinator).

**ISSUE**

Whether the Department properly closed the Claimant's cash assistance (FIP) benefits for non-compliance with employment related activity?

**FINDINGS OF FACT**

The Administrative Law Judge, based upon the competent, material, and substantial evidence on the whole record, finds as material fact:

1. The Claimant is an ongoing FIP recipient.
2. On March 20, 2013, the Department sent Notice of Case Action informing the Claimant of closure of her FIP benefits, effective May 1, 2013, for failure to participate in employment related activity.
3. On March 28, 2013, the Department received the Claimant's written request for hearing concerning the Department's action.

**CONCLUSIONS OF LAW**

The Department of Human Services (DHS) 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 1999 AC, Rule 400.3101 through Rule 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, 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: Remove the negative action placing the Claimant's FIP case into closure effective May 1, 2013; and to develop a self sufficiency plan (FSSP) with the Claimant that will be serviced by the Department.

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 DO THE FOLLOWING WITHIN 10 DAYS:

1. The Department shall remove the pending negative action regarding the closure of the Claimant's FIP case effective May 1, 2013.
2. The Department shall transfer the employment related participation requirement from the PATH program to the Department; and service the Claimant in regards to assigning employment related activities in

accordance with Department policy.

*M. Howie*

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**Michelle Howie**  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: 5/1/2013

Date Mailed: 5/1/2013

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.

MH/hw

cc:

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