

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-43511
Issue No.: 1000
Case No.: [REDACTED]
Hearing Date: June 26, 2013
County: Wayne (82-41)

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

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 June 26, 2013, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included [REDACTED].

ISSUE

Whether the Department properly closed Claimant's Family Independence Program (FIP) case for noncompliance with child support reporting obligations.

FINDINGS OF FACT

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

1. On April 10, 2013, the Department sent Claimant a Notice of Case Action notifying her that her FIP case would close effective May 1, 2013, because Claimant had failed to cooperate in establishing paternity or securing child support.
2. On April 26, 2013, Claimant complied with her child support reporting obligations.
3. On April 23, 2013, Claimant filed a request for hearing concerning her cash, Medical Assistance (MA), Child Development and Care (CDC), Food Assistance (FAP) and State Emergency Relief (SER) cases.

CONCLUSIONS OF LAW

Department policies are found in the Department of Human Services Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), Reference Tables Manual (RFT), and 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, R 400.3101 through R 400.3131. FIP replaced the Aid to Dependent Children (ADC) program effective October 1, 1996.

Although Claimant had indicated on her hearing request that she was seeking a hearing concerning her FIP, MA, CDC, FAP and SER cases, at the hearing, she clarified that she sought a hearing only with respect to the Department's intended closure of her FIP case for her noncooperation with child support reporting obligations. The evidence showed that the Department notified Claimant on April 10, 2013, that her FIP case would close effective May 1, 2013, based on her child support noncooperation, but the Office of Child Support reported Claimant as cooperative as of April 26, 2013.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). 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: (1) reinstate Claimant's FIP case as of May 1, 2013; and (2) issue supplements to Claimant for FIP benefits she was eligible to receive from May 1, 2013, ongoing, which, as of the hearing date, was \$403 in monthly FIP benefits.

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.

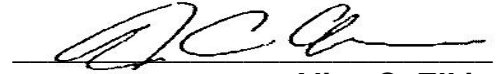
DECISION AND ORDER

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:

1. Reinstate Claimant's FIP case as of May 1, 2013; and '

2. Issue supplements to Claimant for FIP benefits she was eligible to receive from May 1, 2013, ongoing, which, as of the hearing date, was \$403 in monthly FIP benefits.



Alice C. Elkin
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: June 27, 2013

Date Mailed: June 27, 2013

NOTICE: 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)

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.

ACE/pf

cc:

