

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 2013-43936

Issue No: 3008

[REDACTED] [REDACTED]
Hearing Date: June 20, 2013
Washtenaw #22 County DHS

ADMINISTRATIVE LAW JUDGE: Landis Y. Lain

HEARING DECISION

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. After due notice, a telephone hearing was held on June 20, 2013. Claimant appeared and testified. Claimant was represented at the hearing by [REDACTED] (Student Attorney) and [REDACTED] ([REDACTED]). The department was represented by Assistance Payment Supervisor [REDACTED] and Assistance Payment Supervisor [REDACTED].

ISSUE

Did the Department of Human Services (the department) fail to comply with verification requirements?

FINDINGS OF FACT

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

- (1) Claimant applied for Medical Assistance, Food Assistance Program, and State Emergency Relief benefits.
- (2) On February 10, 2012, Administrative Law Judge Corey Arendt issued a Decision and Order indicating that the department had acted inappropriately and ordering the department to re-determine eligibility for benefits. (Register # 2012-23774)
- (3) The department conceded on the record that it conducted an incomplete re-determination process and agreed to reassess claimant's benefits.
- (4) The department agreed to re-determine claimant's Food Assistance program Benefit eligibility for the months of November 2011 through June 2012.

- (5) The department agreed to re-determine claimant's eligibility for Medical Assistance benefits for the months of June 2012 through April 2013
- (6) The department agreed to reinstate claimant's October 25, 2011 application for State Emergency Relief benefits for the \$ [REDACTED] consumer's Energy bill and re-determine eligibility for the benefits.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department is **ORDERED**, pursuant to the agreement placed upon the record, to reinstate claimant's benefit application, conduct an appropriate verification process in accordance with Department policy and re-determine claimant's eligibility for Food Assistance Program benefits for the months of November 2011 through June 2012, Medical Assistance benefits for the months of June 2012 through April 2013, and determine claimant's eligibility for State Emergency Relief benefits for the October 25, 2011 application.

Landis

/s/

Y. Lain
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: June 26, 2013

Date Mailed: June 26, 2013

NOTICE: Administrative Hearings 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. Administrative Hearings 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.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing 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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.

- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at
Michigan Administrative Hearings
Reconsideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

LYL/las

cc:

