

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

IN THE MATTER OF:

████████████████████
████████████████████
████████████████████

Reg. No.: 2013-57267
Issue No.: 2000, 6019
Case No.: ██████████
Hearing Date: August 8, 2013
County: Wayne (57)

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 conducted from Detroit, Michigan on Thursday, August 8, 2013. Claimant appeared and testified. Participating on behalf of the Department of Human Services ("Department") was ██████████.

ISSUE

Whether the Department properly processed Claimant's Food Assistance Program ("FAP") benefits.

Whether the Department properly processed Claimant's Child Development & Care ("CDC") request.

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 was a FAP recipient.
2. Claimant requested CDC benefits for the months of June, July, and August 2013.
3. On July 10, 2013, the Department received Claimant's written request for hearing protesting the reduction of FAP benefits and the failure to process CDC benefits.

CONCLUSIONS OF LAW

As a preliminary matter, Claimant requested a hearing regarding his FAP and CDC benefits. Shortly after commencement of the hearing, Claimant testified that he was no longer aggrieved by the Department's action with respect to his FAP benefits and that he did not wish to proceed with the hearing on that issue. The Request for Hearing was withdrawn. The Department agreed to the dismissal of the hearing request.

Pursuant to the withdrawal of the hearing request filed in this matter, the Request for Hearing regarding FAP benefits is hereby **DISMISSED**.

CDC Benefits

Department policies are found in the Bridges Administrative Manual ("BAM"), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual ("RFT")

The Child Development and Care program is established by Titles IVA, IVE and XX of the Social Security Act, the Child Care and Development Block Grant of 1990, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The program is implemented by Title 45 of the Code of Federal Regulations, Parts 98 and 99. The Department provides services to adults and children pursuant to MCL 400.14(1) and Mich Admin Code, Rules 400.5001 through R 400.5015.

The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2).

In this case, Claimant requested a hearing regarding CDC benefits. 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: initiate activation of CDC benefits for the months of June, July, and August 2013.

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 regarding CDC benefits. It is further found that Claimant's request for hearing regarding FAP benefits is **DISMISSED** as Claimant is no longer aggrieved by the Department's actions.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Initiate activation of CDC benefits for the months of June, July, and August 2013 in accordance with Department policy.

Colleen M. Mamelka

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

Date Signed: August 13, 2013

Date Mailed: August 13, 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

cc:

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