

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-57590
Issue No.: 1000
Case No.: [REDACTED]
Hearing Date: August 22, 2013
County: Wayne (82-15)

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 August 22, 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 denied Claimant's February 28, 2013, Family Independence Program (FIP) application.

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 February 28, 2013, Claimant applied for FIP benefits.
2. The Department denied the application.
3. On July 1, 2013, Claimant requested a hearing disputing the Department's actions.

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.

In the present case, Claimant requested a hearing to dispute the Department's action denying her FIP application. At the hearing, the Department acknowledged that it had erred in denying Claimant's application. The Department testified that it had reregistered the application and determined that Claimant was eligible for benefits for April 2013 and May 2013. Soon after commencement of the hearing, the parties testified that they had reached a settlement concerning the disputed action. The law provides that disposition may be made of a contested case by stipulation or agreed settlement. MCL 24.278(2). Consequently, the Department agreed to do the following: (1) continue reprocessing Claimant's February 28, 2013, FIP application in accordance with Department policy and (2) begin issuing supplements to Claimant for FIP benefits she was eligible to receive of \$597 for April 2013 and \$597 for May 2013.

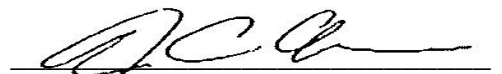
As a result of this settlement, Claimant no longer wishes to proceed with the hearing. As such, it is unnecessary for this Administrative Law Judge to render a decision regarding the facts and issues in this case.

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.

THE DEPARTMENT IS ORDERED TO DO THE FOLLOWING:

1. Continue reprocessing Claimant's February 28, 2013, FIP application in accordance with Department policy and
2. Begin issuing supplements to Claimant for FIP benefits she was eligible to receive of \$597 for April 2013 and \$597 for May 2013.


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

Date Signed: August 27, 2013

Date Mailed: August 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:

