

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 2013-58463  
Issue No.: 1000  
Case No.: [REDACTED]  
Hearing Date: August 15, 2013  
County: Wayne (76)

**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 15, 2013. Claimant appeared and testified. Participating on behalf of the Department of Human Services ("Department") was [REDACTED].

**ISSUE**

Whether the Department properly:

- denied Claimant's application for benefits
- closed Claimant's case for benefits
- reduced Claimant's benefits

for:

- Family Independence Program ("FIP").
- Food Assistance Program ("FAP").
- Medical Assistance ("MA").
- Adult Medical Assistance ("AMP").
- State Disability Assistance ("SDA").
- Child Development and Care ("CDC").
- State Emergency Services ("SER").

**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 recipient of FIP benefits.

2. On May 31, 2013, the Department sent a Notice of Case Action (“NOCA”) to Claimant informing her that her FIP benefits would terminate effective July 1, 2013 because a group member was in violation of conditions of probation or parole.
3. On July 1, 2013, Claimant’s FIP benefits terminated.
4. On July 16, 2013, the Department received Claimant’s written request for hearing.

### **CONCLUSIONS OF LAW**

Department 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 Mich Admin Code, Rules 400.3101 through R 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, the Department agreed to reinstate Claimant’s FIP benefits effective July 1, 2013, based on Claimant’s status as an ineligible grantee with a minor child in the home. Claimant was amenable to this resolution. As such, there is no further issue to address.

### **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 INITATE THE FOLLOWING WITHIN 10 DAYS:

1. Reinstate Claimant’s FIP benefits effective July 1, 2013, in accordance with Department policy.
2. Supplement Claimant for lost FIP benefits that she was entitled to receive if

otherwise eligible and qualified, in accordance with Department policy.

*Colleen M. Mamelka*

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

Date Signed: 8/23/2013

Date Mailed: 8/23/2013

**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/hw

cc:

