

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 2014-26082  
Issue No(s): 1002, 1008  
Case No.: [REDACTED]  
Hearing Date: March 12, 2014  
County: Kent County DHS

**ADMINISTRATIVE LAW JUDGE:** Colleen Lack

**HEARING DECISION**

Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99.33; and 45 CFR 205.10. After due notice, a telephone hearing was held on March 12, 2014, from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED] [REDACTED] the Claimant, and [REDACTED] [REDACTED] [REDACTED] mother. Participants on behalf of the Department of Human Services (Department) included [REDACTED] [REDACTED] Family Independence Manger, and [REDACTED] [REDACTED] Family Independence Specialist.

**ISSUE**

Did the Department properly close Claimant's Family Independence Program (FIP) benefits case based on a failure to complete the Family Automated Screening Tool (FAST)?

**FINDINGS OF FACT**

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

1. On December 16, 2013, Claimant applied for FIP.
2. On December 19, 2013, a FAST Referred Notice was issued to Claimant stating, in part, Claimant must complete the FAST within 30 days.
3. On January 18, 2014, a Notice of Case Action was issued to Claimant stating the FIP case would close effective February 1, 2014 because the FAST was not completed within 30 days of the notice.
4. On January 28, 2014, Claimant filed a request for hearing contesting the Department's action.

## **CONCLUSIONS OF LAW**

Department policies are contained in the Department of Human Services Bridges Administrative Manual (BAM), Department of Human Services Bridges Eligibility Manual (BEM), Department of Human Services Reference Tables Manual (RFT), and Department of Human Services Emergency Relief Manual (ERM).

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193, and 42 USC 601 to 679c. The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10 and 400.57a and Mich Admin Code, R 400.3101 to .3131.

Additionally, a Claimant must cooperate with the local office in determining initial and ongoing eligibility, including completion of necessary forms, and must completely and truthfully answer all questions on forms and in interviews. BAM 105.

The Family Independence Program (FIP) is a temporary cash assistance program to support a family's movement to self-sufficiency. The Family Automated Screening Tool (FAST) is a 50-question, Web-based survey designed to identify an individual's strengths, needs and barriers to family functioning and/or successful employment. Completing a FAST is one of the FIP participant's first required work related activities and establishes a foundation for the development of a successful FSSP. All Work Eligible Individuals (WEIs) and non WEI's as defined below are required to complete the FAST within 30 days of the FAST notice. The participant's failure to submit the FAST within 30 days of the notice date is failure to meet eligibility requirements. BAM 228

In this case, Claimant completed an on-line application for FIP on December 16, 2013. Claimant provided the address where she lives and did not provide any separate mailing address. (Exhibit A, pages 1-2) On December 19, 2013, a FAST Referred Notice was issued to Claimant stating, in part, Claimant must complete the FAST within 30 days. It was noted that failure to complete the FAST would result in cash assistance being denied or stopped. (Exhibit A, pages 3-4) The FAST Referred Notice was issued to Claimant at the address she provided on the FIP application. (Exhibit A, pages 1-4)

Claimant asserted that when she applied, she put down her mother's address because she does not understand paperwork from the Department. Claimant explained that her mother tells her what the paperwork means.

Claimant's mother testified this was Claimant's first time applying for herself. For the past three years, Claimant has always requested the Department mail paperwork to Claimant's mother's address and Claimant's mother personally talked to each caseworker.

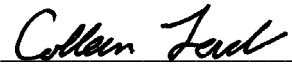
The partial copy of Claimant's FIP application documents that Claimant only provided the address where she lives and did not provide any separate mailing address. (Exhibit A, pages 1-2) Accordingly, the Department properly sent the December 19, 2013 FAST notice to Claimant's address, not her mother's address. There is no evidence that

Claimant completed the FAST within 30 days of the December 19, 2013 FAST Referred Notice. Pursuant to the BAM 228 policy, Claimant's failure to submit the FAST within 30 days of the notice date is a failure to meet eligibility requirements.

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department acted in accordance with Department policy when it closed Claimant's FIP case.

**DECISION AND ORDER**

Accordingly, the Department's decision is **AFFIRMED**.



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Colleen Lack  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: March 21, 2014

Date Mailed: March 21, 2014

**NOTICE OF APPEAL:** 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 or Reconsideration was made, within 30 days of the receipt date of the Decision and Order of Reconsideration or Rehearing Decision.

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).

A Request for Rehearing or Reconsideration may be granted when one of the following exists:

- Newly discovered evidence that existed at the time of the original hearing that could affect the outcome of the original hearing decision;
- Misapplication of manual policy or law in the hearing decision which led to a wrong conclusion;
- Typographical, mathematical or other obvious error in the hearing decision that affects the rights of the client;
- Failure of the ALJ to address in the hearing decision relevant issues raised in the hearing request.

The Department, AHR or the claimant must specify all reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration. A request must be *received* in MAHS within 30 days of the date the hearing decision is mailed.

The written request must be faxed to (517) 335-6088 and be labeled as follows:

Attention: MAHS Rehearing/Reconsideration Request

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings

201426082/CL

Reconsideration/Rehearing Request  
P.O. Box 30639  
Lansing, Michigan 48909-07322

CL/hj

cc:

