

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

**IN THE MATTER OF:**

[REDACTED]

Reg No. 2014-34003  
Issue No. 2000; 3000  
Case No. [REDACTED]  
Hearing Date: April 24, 2014  
County: SSPC-WEST

**ADMINISTRATIVE LAW JUDGE:** Vicki L. Armstrong

**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; 42 CFR 431.200 to 431.250; and 45 CFR 205.10. After due notice, a 3-way telephone hearing was held on April 24, 2014, from Lansing, Michigan. Claimant personally appeared and testified. Participants on behalf of the Department of Human Services (Department) included Eligibility Specialist [REDACTED] and Eligibility Specialist [REDACTED].

**ISSUE**

Did the Department fully resolve the disputed issue by binding settlement offer and agreement?

**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 14, 2014, Claimant applied for Food Assistance Program (FAP) and the Medical Assistance (MA) benefits. (Dept Ex. 1-2).
2. On February 14, 2014, Claimant was mailed a Notice of Case Action informing her that her FAP application was denied. (Dept Ex. 1, 6-7).
3. On March 18, 2014, Claimant filed a Request for a Hearing contesting the denial of FAP and MA.
4. Claimant's hearing was held on April 24, 2014.
5. During the hearing, the Department's witnesses offered to settle this dispute on the record, granting Claimant's son [REDACTED] FAP benefits in the amount of \$ [REDACTED] per month, and granting [REDACTED] Other Healthy Kids (OHK) Medical Assistance. Based on Claimant's testimony, the Department discovered they did have proof of her identity and could now

process Emergency MA for Claimant and her husband. The Department explained that Claimant and her husband would not be eligible for FAP benefits based on their Alien status.

6. Claimant accepted the Department's explanation of benefit entitlements and acknowledged such processing would fully resolve the negative actions taken in this case and withdrew her hearing request on the record.

### **CONCLUSIONS OF LAW**

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

The Food Assistance Program (FAP) [formerly known as the Food Stamp (FS) program] is established by the Food Stamp Act of 1977, as amended, and is implemented by the federal regulations contained in Title 7 of the Code of Federal Regulations (CFR). The Department (formerly known as the Family Independence Agency) administers FAP pursuant to MCL 400.10, *et seq.*, and Mich Admin Code, R 400.3001 through R 400.3015.

The Medical Assistance (MA) program is established by the Title XIX of the Social Security Act and is implemented by Title 42 of the Code of Federal Regulations (CFR). The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10, *et seq.*, and MCL 400.105.

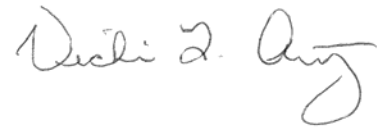
The law, MCL 24.278(2); MSA 3.560(178)(2), provides that disposition may be made of a contested case hearing by stipulation or agreed settlement on the record. Both parties agreed to the settlement terms set forth above.

### **DECISION AND ORDER**

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides Claimant and the Department entered into a valid, binding settlement agreement on the record at hearing.

Accordingly, this case is returned to the local office for implementation of the settlement terms.

It is SO ORDERED.



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Vicki L. Armstrong  
Administrative Law Judge  
for Maura D. Corrigan, Director  
Department of Human Services

Date Signed: April 25, 2014

Date Mailed: April 25, 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.

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

VLA/las

cc:

