

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

**IN THE MATTER OF:**



Reg. No.: 14-002003  
Issue No.: FAP  
Case No.: [REDACTED]  
Hearing Date: June 10, 2014  
County: St Clair County DHS

**ADMINISTRATIVE LAW JUDGE:** Gary F Heisler

**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 June 10, 2014, from Lansing, Michigan. Participants on behalf of Claimant included himself. Participants on behalf of the Department of Human Services (Department) included [REDACTED].

**ISSUE**

Did the Department determine the proper amount of Claimant's Food Assistance Program eligibility on April 17, 2014?

Did the Department of Human Services properly deny Claimant's April 15, 2014 application for State Emergency Relief?

**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 April 14, 2014, Claimant was sent a New Hire Client Notice (DHS-4635).
2. On April 15, 2014, Claimant reported his earnings. Claimant's Food Assistance Program financial eligibility budget was updated to include earned income. Claimant was sent a Notice of Case Action (DHS-1605) which stated his Food Assistance Program benefits would be reduced beginning May 1, 2014.
3. On April 15, 2014, Claimant also submitted an application for State Emergency Relief benefits under energy services and home ownership. Claimant was sent a SER Verification Checklist (DHS-3503-SER). The home ownership portion of the application was denied.

4. On April 17, 2014, Claimant was approved for \$ [REDACTED] of energy service payments with a \$276.56 copayment. Claimant was sent a State Emergency Relief Decision Notice (DHS-1419).
5. On April 28, 2014, Claimant submitted a hearing request.

### **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 Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food Stamp Act of 1977, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Family Independence Agency) administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001 to .3015.

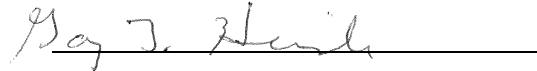
The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department (formerly known as the Family Independence Agency) pursuant to MCL 400.10 and Mich Admin Code, R 400.7001 through R 400.7049.

During this hearing Claimant's Food Assistance Program financial eligibility budget was reviewed, explained, and found to be correct. The State Emergency Relief Program home ownership application was reviewed, explained and found to be correct. The State Emergency Relief Program energy services application was reviewed, explained and found to be correct. Claimant testified that he now understands the Department's actions.

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 determined Claimant's Food Assistance Program eligibility on April 17, 2014 and denied his April 15, 2014 State Emergency Relief Program application.

**DECISION AND ORDER**

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



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

Date Signed: **6/16/2014**

Date Mailed: **6/16/2014**

GFH / hj

**NOTICE OF APPEAL**: A party may appeal this Hearing Decision in the circuit court in the county in which he/she resides, or the circuit court in Ingham County, within 30 days of the receipt date.

A party may request a rehearing or reconsideration of this Hearing Decision from the Michigan Administrative Hearing System (MAHS) within 30 days of the mailing date of this Hearing Decision, or MAHS may order a rehearing or reconsideration on its own motion.

MAHS may grant a party's Request for Rehearing or Reconsideration 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 party requesting a rehearing or reconsideration 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 this Hearing Decision is mailed.

A written request may be faxed or mailed to MAHS. If submitted by fax, 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

cc:

