

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

IN THE MATTER OF:

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████████████████████

Reg. No.: 14-008666
Issue No.: 1001, 2000, 3000
Case No.: ██████████
Hearing Date: September 08, 2014
County: WAYNE (15)

ADMINISTRATIVE LAW JUDGE: Jacqueline McClinton

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 September 8, 2014, from Detroit, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included ██████ ██████, Family Independence Specialist.

ISSUE

Did the Department properly determine Claimant's eligibility for Family Independence Program (FIP) benefits?

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 July 18, 2014, Claimant applied for FIP benefits.
2. On July 23, 2014, the Department sent Claimant a Notice of Case Action notifying Claimant that her application for FIP benefits was denied for excess income.
3. On August 4, 2014, Claimant filed a Request for Hearing disputing the Department's actions.

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).

MA/FAP

Claimant's hearing request stating that she was disputing the Department's actions with regard to Medical Assistance (MA), Food Assistance Program (FAP) and FIP benefits. Shortly after commencement of the hearing, Claimant testified that she now understood the Department's actions regarding her MA and FAP benefits and stated that she did not wish to proceed with the hearing regarding MA and FAP benefits. The Request for Hearing was withdrawn regarding MA and FAP benefits. The Department agreed to the dismissal of the hearing request. Pursuant to the withdrawal of the hearing request filed in this matter, the Request for Hearing regarding MA and FAP benefits is dismissed.

FIP

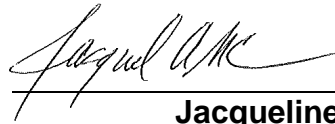
Claimant stated that she wished to dispute the denial of her application for FIP benefits. Additionally, the maximum a group size of three can earn to receive FIP benefits is \$492.00. RFT 210 (December 2013), p. 1. On July 18, 2014 Claimant applied for FIP benefits for herself and her two grandsons. Claimant has RSDI income in the amount of \$1,350.90 and pension income in the amount of \$353.87. Accordingly, Claimant's gross household income is \$1,704.57, which exceeds the allowable income amount to receive FIP benefits with a group size of three. Claimant testified that a friend incorrectly completed the application and that she intended to apply as an ineligible grantee. Claimant can re-apply for FIP benefits as an ineligible grantee. However, at the time of application, the Department properly denied the application as it requested FIP benefits for Claimant and her grandchildren.

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 denied Claimant's July 18, 2014 application for FIP benefits.

DECISION AND ORDER

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

IT IS FURTHER ORDERED that Claimant Request for hearing relating to MA and FAP benefits is hereby **DISMISSED**.



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

Date Signed: **9/16/2014**

Date Mailed: **9/16/2014**

JAM / cl

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

