

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

**IN THE MATTER OF:**

[REDACTED]

Reg. No.: 14-009130  
Issue No.: 3002  
Case No.: [REDACTED]  
Hearing Date: September 10, 2014  
County: DHS SSPC-WEST

**ADMINISTRATIVE LAW JUDGE:** Gary 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 September 10, 2014, from Lansing, Michigan. Participants on behalf of Claimant included herself. Participants on behalf of the Department of Human Services (Department) included Hearing Facilitator [REDACTED]

**ISSUE**

Did the Department properly deny Claimant's July 7, 2014, Food Assistance Program application for failure to provide required verifications?

**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 7, 2014, Claimant submitted an application for Food Assistance Program benefits. Based on the information Claimant provided she was issued expedited benefits pending full approval. A Verification Checklist (DHS-3503) was sent to Claimant with verifications due on July 17, 2014.
2. On July 18, 2014, the Department had not received the required verifications. Claimant was sent a Notice of Case Action (DHS-1605) which stated her Food Assistance Program benefits were denied beginning August 1, 2014.
3. On August 1, 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.

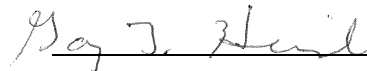
During this hearing Claimant asserted that she sent the verifications in but mailed them to a local office instead of the SSPC. Claimant asserted that the Verification Checklist (DHS-3503) did not have a self-addressed envelope like it is supposed to so she put it in a regular envelope and mailed it to the Sterling Heights local office. Claimant then asserted that she has had lots of problems with the Sterling Heights local office and thinks they probably threw her paperwork out.

It was pointed out to Claimant that the Verification Checklist (DHS-3503) showed the SSPC address. When asked why she sent it to the Sterling Heights Office Claimant stated she must have gotten that address off the notice sent to her that the benefits were ending. The verifications were due July 17, 2014. The Notice of Case Action (DHS-1605) stating the benefits would end was mailed on July 18, 2014. It was pointed out to Claimant that she could not have received the denial notice until after the verifications were due. Claimant immediately changed her assertion and insisted she had sent in the verifications before the due date. Claimant's assertion that she sent in the verifications before the due date, to the wrong address are not credible.

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 7, 2014, Food Assistance Program application for failure to provide required verifications.

### **DECISION AND ORDER**

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

  
\_\_\_\_\_  
Gary Heisler  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

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

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

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:

