

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 14-010448
Issue No.: 1011
Case No.: [REDACTED]
Hearing Date: November 05, 2014
County: INGHAM

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 November 5, 2014, from Lansing, Michigan. Participants on behalf of Claimant included herself. Participants on behalf of the Department of Human Services (Department) included Office of Child Support Lead Worker [REDACTED] and Hearing Facilitator [REDACTED].

ISSUE

Did the Department properly close Claimant's Family Independence Program for failure to cooperate with the Office of Child Support?

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 May 16, 2014, Claimant was sent a First Customer Contact Letter (OCS0015) by the Office of Child Support.
2. On June 15, 2014, Claimant was sent a Final Customer Contact Letter (OCS0025) by the Office of Child Support.
3. On July 10, 2014, Claimant was sent a Noncooperation Notice (OCS1225A) by the Office of Child Support.
4. On July 12, 2014, Claimant was sent a Notice of Case Action (DHS-1605) which stated her Family Independence Program would close on August 1, 2014.
5. On August 5, 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 Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and 42 USC 601 to 679c. The Department (formerly known as the Family Independence Agency) administers FIP pursuant to 45 CFR 233-260, MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3101 to .3131.

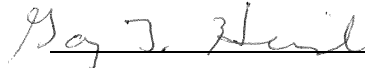
During this hearing Claimant testified at length about the circumstances of determining the father Eric Cooper, her son. Claimant asserts that Eric's father worked at [REDACTED] they dated for about six months and his name was [REDACTED]. Claimant testified that: after she stopped dating [REDACTED] she was with [REDACTED]; she found out she was about six weeks pregnant; [REDACTED] said that it could not be his because they had only been dating for about three weeks; [REDACTED] went to prison and made sure she (Claimant) knew where he was so she could have her child DNA tested; [REDACTED] was eliminated as the father; and that was when she started telling DHS that the father was [REDACTED]. Claimant also testified that one of her girlfriend's boyfriends knew [REDACTED].

Office of Child Support Lead Worker [REDACTED] testified that their records show no one by that name has been found. Claimant has not provided any new or additional information to the Office of Child Support. Based on the totality of evidence in this record, Claimant's assertion that she has provided all the information she can, is 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 closed Claimant's Family Independence Program on August 1, 2014 for failure to cooperate with the Office of Child Support.

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: **11/19/2014**

Date Mailed: **11/19/2014**

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 48909-8139

cc:

