

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 14-000546
Issue No.: 3002
Case No.: [REDACTED]
Hearing Date: May 6, 2014
County: Kent 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 May 6, 2014, from Lansing, Michigan. Participants on behalf of Claimant included herself. Participants on behalf of the Department of Human Services (Department) included AP Supervisor [REDACTED] and Hearing Facilitator [REDACTED]

ISSUE

On March 25, 2014, did the Department properly pend Claimant's Food Assistance Program to close on May 1, 2014?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Claimant was an ongoing recipient of Food Assistance Program benefits.
2. On March 10, 2014, Claimant was sent a Verification Checklist (DHS-3503).
3. On March 25, 2014, the Department had not received all the required verifications identified on the March 10, 2014 Verification Checklist (DHS-3503). Claimant was sent a Notice of Case Action (DHS-1605) which stated her Food Assistance Program would close on May 1, 2014.
4. On March 31, 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).

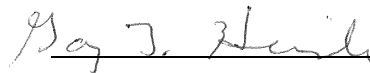
The Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food Stamp Act of 1977, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Family Independence Agency) administers 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 testified that she did not send in a verification that her savings account had closed. Claimant also testified that she submitted a new Food Assistance Program application on May 1, 2014.

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 pended Claimant's Food Assistance Program to close on May 1, 2014.

DECISION AND ORDER

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



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

Date Signed: **5/12/14**

Date Mailed: **5/12/14**

GFH / hj

cc:

