

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

**IN THE MATTER OF:**

██████████  
██  
████████████████████

Reg. No.: 14-005048  
Issue No.: 3002, 1002, 2002, 6002  
Case No.: ██████████  
Hearing Date: July 24, 2014  
County: INGHAM

**ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie**

**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 Thursday, July 24, 2014, from Lansing, Michigan. Participants on behalf of Claimant included the Claimant. Participants on behalf of the Department of Human Services (Department) included ██████████, HF and ██████████, OCS-LW.

**ISSUE**

Did the Department properly  close Claimant's case for failure to provide verifications and for non-cooperation with the Office of Child Support (OCS)?

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Family Independence Program (FIP)? | <input type="checkbox"/> State Disability Assistance (SDA)?           |
| <input checked="" type="checkbox"/> Food Assistance Program (FAP)?     | <input checked="" type="checkbox"/> Child Development and Care (CDC)? |
| <input checked="" type="checkbox"/> Medical Assistance (MA)?           | <input type="checkbox"/> Direct Support Services (DSS)?               |
| <input type="checkbox"/> Adult Medical Assistance (AMP)?               | <input type="checkbox"/> State SSI Payments (SSP)?                    |

**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  applied for and  received:  FIP  FAP  MA  CDC benefits.
2. Claimant was required to submit requested verification by May 12, 2014.
3. On June 2, 2014, the Department  closed Claimant's case due to failure to provide the required verifications to determine FAP eligibility, but her MA case continued to be open.

4. On June 2, 2014, the Department sent Claimant/Claimant's Authorized Representative (AR) its decision.
5. On June 12, 2014, Claimant/Claimant's Authorized Hearing Representative (AHR) filed a hearing request, protesting the Department's actions.
6. The Department received a notice from the OCS that the Claimant failed to cooperate and was in noncompliance effective June 24, 2014.

### **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), and Department of Human Services Reference Tables Manual (RFT).

The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193, and 42 USC 601 to 679c. The Department (formerly known as the Family Independence Agency) administers FIP pursuant to MCL 400.10 and 400.57a and Mich Admin Code, R 400.3101 to .3131.

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 271.1 to 285.5. The Department (formerly known as the Family Independence Agency) administers FAP pursuant to MCL 400.10 and Mich Admin Code, R 400.3001 to .3015.

The Medical Assistance (MA) program is established by the Title XIX of the Social Security Act, 42 USC 1396-1396w-5, and is implemented by 42 CFR 400.200 to 1008.59. The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10 and MCL 400.105.

The Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, 42 USC 601-619, 670-679c, and 1397-1397m-5; the Child Care and Development Block Grant of 1990, PL 101-508, 42 USC 9858 to 9858q; and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193. The program is implemented by 45 CFR 98.1-99.33. The Department administers the program pursuant to MCL 400.10 and provides services to adults and children pursuant to MCL 400.14(1) and Mich Admin Code, R 400.5001-.5020.

Additionally, the Claimant was a recipient of FAP, FIP, CDC, and MA. On May 1, 2014, the Department Caseworker sent the Claimant a Verification Checklist for written verification that was due May 12, 2014. Department Exhibit 21. The Claimant failed to provide the required verification of her letter from Provider of HHC or SER and LIHEAP, and verification of loss of employment that due on May 12, 2014. As a result, the

Department Caseworker sent the Claimant a notice that FIP benefit would close effective May 16, 2014 for FIP, April 20, 2014 for CDC, and June 2, 2014 for FAP for failure to provide verification. Department Exhibit 22-25. BAM 105, 115, 130, 200, 210, and 220.

The Department has met their burden that the Claimant's FAP, FIP, CDC, and MA cases should be closed because the Claimant failed to provide the required verification to determine continued eligibility.

On June 24, 2014, the Department Caseworker was notified by OCS that the Claimant was in non-cooperation with OCS. However, the Claimant's FIP, FAP, MA, and CDC had already been closed because the Claimant failed to provide the required verifications to determine continued eligibility. Department Exhibit 26-30.

During the hearing, the Claimant stated that she had cooperated with OCS. However, the OCS caseworker stated that the Claimant was in non-compliance because the information provided was not sufficient to identify paternity. The Claimant provided additional information that will investigated of the homeless shelter of the Volunteer of America, first name Lavelle from Chicago who worked and attended Lansing Community College. The Claimant stated that she did not know his last name even though they had contact for 4 to 5 months. The OCS worker stated that the Claimant was not credible, but that the additional information provided would be followed up on.

The Administrative Law Judge, based upon 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 when it closed the Claimant's FIP, FAP, MA, and CDC cases due to failure to provide verifications.

### **DECISION AND ORDER**

Accordingly, the Department's decision is  AFFIRMED.



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Carmen G. Fahie  
Administrative Law Judge  
for Maura Corrigan, Director  
Department of Human Services

Date Signed: **7/30/2014**

Date Mailed: **7/31/2014**

**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.

