

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 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.

At hearing, Claimant asserted he came in on April 7, 2014, and submitted an application for FAP benefits. Claimant asserted this application was not processed and he came back in on May 2, 2014. Claimant alleged he submitted a second application on May 28, 2014, requesting both FAP and FIP benefits. The Department testified the only application they received was the one dated May 28, 2014. Claimant asserted he signed the log when he dropped off the application on April 7, 2014. The Department checked the log and Claimant's name did not appear on the sign-in sheet for that date.

The Department presented evidence demonstrating they had processed the May 28, 2014, application and provided benefits for part of May 2014 and full FAP benefits as of June 2014. Claimant's hearing request was not disputing the benefits awarded ongoing but instead complained that the Department did not process and award benefits back to the application dated April 7, 2014.

Claimant had no copy of the purported application he alleged to have submitted on April 7, 2014. Claimant's name did not appear on the sign-in log to confirm he dropped off an application on April 7, 2014. This Administrative Law Judge was given no evidence that demonstrated any application being submitted prior to May 28, 2014. Further, upon further discussion with the Department and the Department providing Claimant an opportunity to review the sign-in logs for the day in question, Claimant agreed he was mistaken.

Claimant then asserted he never received the June benefits he was supposedly awarded. Claimant was certain the benefits were not properly loaded onto his BRIDGE card. The Department presented a BRIDGES printout (Exhibit 1, p. 15) which demonstrated Claimant's June 2014 benefits had been loaded/paid to Claimant on June 16, 2014.

Therefore, based upon the information and evidence presented at hearing, this Administrative Law Judge finds the Department properly processed the application they did receive and issued the appropriate benefits for the month of May 2014 and June 2014.

DECISION AND ORDER

Accordingly, the Department's decision is AFFIRMED.



Jonathan W. Owens
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: **9/22/2014**

Date Mailed: **9/23/2014**

JWO / pf

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:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]