

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 201422811
Issue No(s): [REDACTED]
Case No.: [REDACTED]
Hearing Date: February 20, 2014
County: Ingham

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 February 20, 2014, from Lansing, Michigan. Participants on behalf of Claimant included himself and [REDACTED]. Participants on behalf of the Department of Human Services (Department) included ES [REDACTED] and Refugee Worker [REDACTED].

ISSUE

Did the Department properly stop Claimant's Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) beginning February 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 and his family entered the United States on June 30, 2013.
2. Claimant was an ongoing recipient of Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA).
3. On January 10, 2014, Claimant was sent a Notice of Case Action (DHS-1605) which stated the Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) would end on February 1, 2014.
4. On January 17, 2014, Claimant submitted a request for hearing.

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 refugee assistance programs are federal programs which helps refugees to become self-sufficient after their arrival in the U.S. RAP has two components; Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA). The Department of Human Services administers RCA and RMA pursuant to 45 CFR 400 and P.L. 106-386 of 2000, Section 107.

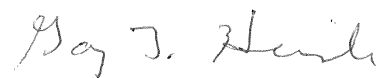
Department of Human Services Bridges Eligibility Manual (BEM) 630 Refugee Assistance Program (2013) page 1 under RCA/RMA Eligibility Period states;

RCA and/or RMA is available **only** during the eight months immediately following the refugee's date of entry into the U.S. or date asylum is granted. Month one is the month containing date of entry or date of adjustment to refugee status.

February 2014 would be the 9th month after Claimant and his family entered the U.S. 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 stopped Claimant's Refugee Cash Assistance (RCA) and Refugee Medical Assistance (RMA) beginning February 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: March 5, 2014

Date Mailed: March 5, 2014

NOTICE OF APPEAL: The claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt of the Decision and Order or, if a timely Request for Rehearing or Reconsideration was made, within 30 days of the receipt date of the Decision and Order of Reconsideration or Rehearing Decision.

Michigan Administrative Hearing System (MAHS) may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. MAHS will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request (60 days for FAP cases).

A Request for Rehearing or Reconsideration may be granted 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 Department, AHR or the claimant 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 the hearing decision is mailed.

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

GFH/nk

cc:

