

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 15-001626
Issue No.: 1011
Case No.: [REDACTED]
Hearing Date: March 24, 2015
County: CALHOUN (DISTRICT 21)

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 March 24, 2015, from Lansing, Michigan. Participants on behalf of Claimant included herself. Participants on behalf of the Department of Human Services (Department) included Hearing Facilitator [REDACTED] Eligibility Specialist (ES) [REDACTED] and Office of Child Support Lead Worker [REDACTED]

ISSUE

Did the Department properly deny Claimant's January 1, 2015, Family Independence Program application?

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 October 13, 2014, Claimant was placed in noncooperation status by the Office of Child Support.
2. On November 1, 2014, Claimant's Family Independence Program was closed and her Food Assistance Program benefits were reduced due to her noncooperation status by the Office of Child Support.
3. On January 1, 2015, Claimant submitted an online application for Family Independence Program and Food Assistance Program benefits.
4. On January 13, 2015, Claimant spoke to the Office of Child Support. Claimant reported she thinks the father's last name is [REDACTED] and provided two telephone numbers which she alleged are the father's and his girlfriend's. The Office of Child Support checked on the new information and found no additional identification information. The Office of Child Support determined Claimant was still in noncooperation.

5. On January 16, 2015, Claimant was sent a Notice of Case Action (DHS-1605) which stated her Family Independence Program application was denied due to her noncooperation status by the Office of Child Support.
6. On January 23, 2015, Claimant submitted a hearing request regarding denial of her Family Independence Program application.

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).

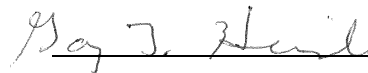
The Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and 42 USC 601 to 679c. The Department (formerly known as the Family Independence Agency) administers FIP pursuant to 45 CFR 233-260, MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3101 to .3131.

Claimant asserts that: her friend, [REDACTED] had a party on September 6, 2014; she had sex with a man at the party and got pregnant; he is 5'8" has black hair and brown eyes and she thinks his name is [REDACTED]; she thinks he lives on [REDACTED] he is a friend of [REDACTED] he wanted her to abort the pregnancy; and she cannot get any other information about him. Based on the totality of evidence in the record, Claimant's assertion that she cannot get any other information about the man 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 denied Claimant's January 1, 2015, Family Independence Program application.

DECISION AND ORDER

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



Gary Heisler
Administrative Law Judge
for Nick Lyon, Interim Director
Department of Human Services

Date Signed: **4/8/2015**

Date Mailed: **4/8/2015**

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:

