



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Christopher Seppanen
Executive Director

MIKE ZIMMER
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: March 18, 2016
MAHS Docket No.: 15-021895

[REDACTED]
[REDACTED]

ADMINISTRATIVE LAW JUDGE: Vicki Armstrong

HEARING DECISION

Following Petitioner'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; and Mich Admin Code, R 792.11002. After due notice, an in-person hearing was held on March 17, 2016, in Flint, Michigan. Petitioner personally appeared and testified. The Department of Health and Human Services (Department) was represented by Hearing Facilitator [REDACTED]

ISSUE

Did the Department properly determined Petitioner's Family Independence Program (FIP) benefits?

FINDINGS OF FACT

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

1. On October 19, 2015, Petitioner applied for FIP. (Dept Exh. A, pp 3-18).
2. On October 23, 2015, the Department issued Petitioner a Notice of Case Action informing her that she had been approved for [REDACTED] of FIP from November 16, 2015 through November 30, 2015, and [REDACTED] a month from December 1, 2015 ongoing. (Dept Exh. A, pp 18-21).
3. On November 9, 2015, Petitioner submitted a hearing request. (Dept Exh. A, p 22).

CONCLUSIONS OF LAW

Department policies are contained in the Department of Health and Human Services Bridges Administrative Manual (BAM), Department of Health and Human Services Bridges Eligibility Manual (BEM), Department of Health and Human Services Reference Tables Manual (RFT), and Department of Health and 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 Department of Human Services) 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-.3131.

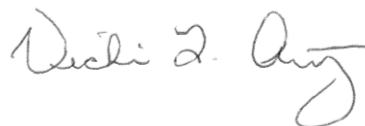
In this case, Petitioner credibly testified that she understood why she received differing amounts of FIP benefits for the months of November and December 2015. She stated the Department knew this and that was not what the hearing was about. Petitioner testified at length over the belittling treatment she had received at the hands of the Department and how she was continuing to fight the Department in an attempt to have them treat her fairly.

An Administrative Law Judge's duties and authority were explained to Petitioner. Petitioner stated that she understood but wanted to make an official record of how she had been treated. She added that she would continue to pursue the matter with Lansing. Petitioner repeatedly stated that she understood the actions of the Department regarding her FIP case and that was not what was at issue.

Therefore, this Administrative Law Judge finds that the Department acted in accordance with departmental policy when it properly determined Petitioner's FIP benefits.

DECISION AND ORDER

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



VLA/db

Vicki Armstrong
Administrative Law Judge
for Nick Lyon, Director
Department of Health and Human Services

NOTICE OF APPEAL: A party may appeal this Order in circuit court within 30 days of the receipt date. A copy of the circuit court appeal must be filed with the Michigan Administrative Hearing System (MAHS).

A party may request a rehearing or reconsideration of this Order if the request is received by MAHS within 30 days of the date the Order was issued. The party requesting a rehearing or reconsideration must provide the specific reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088; 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

DHHS

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

Petitioner

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