



RICK SNYDER  
GOVERNOR

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

SHELLY EDGERTON  
DIRECTOR

[REDACTED]

Date Mailed: June 10, 2016  
MAHS Docket No.: 15-023690  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Michael J. Bennane**

### 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, a telephone hearing was held on [REDACTED], from Detroit, Michigan. The Petitioner was represented by Petitioner. The Department of Health and Human Services (Department) was represented by [REDACTED].

### ISSUE

Did the Department properly process the Petitioner's [REDACTED], Family Independence Program (FIP) 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 [REDACTED], the Petitioner applied for FIP benefits.
2. On [REDACTED], the Department sent the Petitioner a Partnership.Accountability.Training.HOPE (PATH) Appointment Notice for appointment on [REDACTED].
3. Petitioner appeared for PATH orientation on [REDACTED], because the last day to attend orientation was [REDACTED].
4. On [REDACTED], the Department sent the Petitioner a second PATH Appointment Notice informing her of appointment for [REDACTED].

5. On [REDACTED], the Department sent the Petitioner a Verification Checklist requesting various proofs by [REDACTED].
6. On [REDACTED], the Petitioner came into the Department office and reported that she was six months pregnant and high risk.
7. On [REDACTED], the Department sent the Petitioner's Medical Needs Form in order to excuse the Petitioner from PATH attendance.
8. On [REDACTED], the Petitioner requested a hearing to protest the Department's failure to begin her FIP benefits.

### **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, the Petitioner had attended a number of PATH appointments until her [REDACTED], announcement that she was pregnant and high risk.

The Department provided the Petitioner with a Medical Needs Form for PATH that is dated [REDACTED].

The Department testified that the Petitioner failed to return a completed Medical Needs Form and requested the hearing on the same date the Department provided the Medical Needs Form.

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 provided the Petitioner with a Medical Needs Form to excuse her from PATH duties. (BEM 233A, May, 2015)

**DECISION AND ORDER**

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



MJB/jaf

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**Michael J. Bennane**  
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]

**Petitioner**

[REDACTED]

**cc:**

[REDACTED]