



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ORLENE HAWKS
DIRECTOR

[REDACTED]
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[REDACTED]
[REDACTED], MI [REDACTED]

Date Mailed: June 13, 2022
MOAHR Docket No.: 22-002099
Agency No.: [REDACTED]
Petitioner: [REDACTED] [REDACTED]

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

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; 42 CFR 438.400 to 438.424; 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 June 8, 2022, from Lansing, Michigan. The Petitioner was represented by herself. The Department of Health and Human Services (Department) was represented by April Sprague Hearing Facilitator. Department Exhibit 1, pp. 1-13 was received and admitted.

ISSUE

Did the Department properly deny Petitioner Direct Supportive Services (DSS) request for vehicle purchase assistance because she was not receiving FIP, CDC, MA-Family or FAP-Family benefits?

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 April 27, 2022, Petitioner inquired about DSS for vehicle purchase.
2. On April 27, 2022, Petitioner was informed that she was not eligible for DSS for vehicle purchase because she was not receiving FIP, CDC, MA-Family, or FAP-Family benefits.
3. On April 28, 2022, Petitioner requested hearing disputing that she was not eligible for DSS.

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).

Direct Support Services (DSS) is established by the Social Welfare Act, MCL 400.1-.119b. The program is administered by the Department pursuant to MCL 400.10 and 400.57a and Mich Admin Code R 400.3603.

FIP, CDC, MA Family, FAP Family, FAP Non-Family Definitions

Direct Support Services (DSS)

Goods and services provided to help families achieve self-sufficiency. DSS **includes** Employment Support Services (ESS) and Family Support Services (FSS) that directly correlates to removing an employment-related barrier.

There is no entitlement for DSS. The decision to authorize DSS is within the discretion of the MDHHS or PATH program, based on local office funding. BEM 232

Vehicle Purchase

FIP, CDC, MA Family, FAP Family

Authorize up to \$5000 to purchase, not lease, a vehicle to be used as a participant's primary means of transportation for work or employment-related activities. For FIP recipients, see *clients served by PATH* in this item. Vehicle purchase is limited to once in a client's lifetime. Prior approval through Bridges is required for this service. BEM 232

In this case, Petitioner was not a recipient of FIP, CDC, MA-Family or FAP Family and therefore was not eligible for DSS for vehicle purchase assistance. Therefore, the Department denial of Petitioner's request was proper and correct and consistent with Department policy. BEM 232


Petitioner testified at hearing that she received a flyer regarding DSS benefit for vehicle purchase, and she met some of the criteria for the benefit including having need for a vehicle because of employment, not being on the bus line and being able to afford insurance on a vehicle. Petitioner believed that since she met some of the criteria she should be considered for the benefit. It was explained that a prerequisite for DSS benefit for vehicle purchase was receipt of FIP, CDC, MA-Family or FAP-Family and having minor children in the household. Petitioner acknowledged at hearing that she did not have minor children in her care.

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 Petitioner's DSS request for vehicle purchase assistance.

DECISION AND ORDER

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

AM/nr



Aaron McClintic
Administrative Law Judge

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 Office of Administrative Hearings and Rules (MOAHR).

A party may request a rehearing or reconsideration of this Order if the request is received by MOAHR 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. MOAHR will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MOAHR. If submitted by fax, the written request must be faxed to (517) 763-0155; Attention: MOAHR Rehearing/Reconsideration Request.

If submitted by mail, the written request must be addressed as follows:

Michigan Office of Administrative Hearings and Rules
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-8139

Via-Electronic Mail :

DHHS

Janice Collins
Genesee County DHHS Union St District
Office
125 E. Union St 7th Floor
Flint, MI 48502

BSC2
D. Smith
EQAD

Via-First Class Mail :

Petitioner

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[REDACTED], MI [REDACTED]