



GRETCHEN WHITMER  
GOVERNOR

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

ORLENE HAWKS  
DIRECTOR

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

Date Mailed: September 14, 2022  
MOAHR Docket No.: 22-003438  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Zainab A. Baydoun**

### **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 September 7, 2022, from Detroit, Michigan. Petitioner appeared for the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Shaton Mason, Family Independence Supervisor.

### **ISSUE**

Did the Department properly close Petitioner's Family Independence Program (FIP) case?

### **FINDINGS OF FACT**

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

1. Petitioner was an ongoing recipient of FIP benefits.
2. On or around January 5, 2022, the Department received information that Petitioner's daughter Child A had received assistance benefits from the State of Michigan and from the State of Arizona during the month of September 2021. The Department sent Petitioner an Out of State Benefit Match Notice, instructing her to complete and return the form by January 18, 2022, and that a failure to provide the information requested by the due date could result in the cancellation of all benefits issued by the State of Michigan. (Exhibit B)
3. On or around May 26, 2022, the Department sent Petitioner a second Out of State Benefit Match Notice, as it received information that Child A received benefits from both the State of Arizona and the State of Michigan during the month of March 2022. Petitioner was instructed to complete and return the form by June 6, 2022, and that a

failure to provide the information requested by the due date could result in the cancellation of all benefits issued by the State of Michigan. (Exhibit B)

4. The Department asserted that it did not receive the completed Out of State Benefit Match Notices by the due date.
5. On or around July 13, 2022, the Department sent Petitioner a Notice of Case Action advising her that effective August 1, 2022, her FIP case would be closed on the basis that she failed to verify requested information. (Exhibit A, pp.5-9)
6. On August 5, 2022, Petitioner requested a hearing disputing the Department's actions with respect to her FIP case. (Exhibit A, pp. 3-4)

### **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.

The Department routinely matches recipient data with other agencies through automated computer data exchanges. BAM 814 (April 2022), p.1. The Public Assistance Reporting Information System (PARIS) Interstate Match is a quarterly data matching service used to help determine if a client has received duplicate benefits into or more states. Bridges applies a matching criterion to determine a PARIS match with all active recipients. A valid match will create a PARIS record within the database and the Department specialist will receive a task and reminder for each case identified which will only be removed when the match has been disposed. BAM 814, p.1. The Department will reconcile the match on the alert by reviewing the case to determine if the information has already been verified. If not, the Department will request verification by generating a DHS – 4600, Out of State Benefit Match Notice. When a DHS – 4600 is requested, the Department automatically gives the client 10 calendar days to provide verification from the date the form was requested. If verifications are not returned by the due date, case action will need to be initiated to close the case. BAM 814, pp.1-2.

In this case, the Department representative testified that it received notification through a PARIS match that Child A had received assistance in the State of Arizona and the State of Michigan for the months of September 2021 and March 2022. The Department representative testified that in accordance with the above referenced policy, it sent Petitioner the January 5, 2022, and May 26, 2022, Out of State Benefit Match Notices, instructing her to complete the form and submit the requested verifications within 10 days. The Department representative testified that because it did not receive the completed DHS – 4600 from Petitioner by the due date, it initiated the closure of her FIP case by sending the Notice of Case Action dated July 13, 2022, advising of a case closure effective August 1, 2022. The Department testified that as of the hearing date, it still had not received any completed form from Petitioner and the PARIS match had not been disposed in Bridges.

At the hearing, Petitioner testified that the issue with her child being identified on a benefit case in Arizona has been ongoing for the past two years and should have been resolved two years ago when she submitted school verification for her child. In response, the Department representative reviewed Petitioner's electronic case file and testified that the only school verification submitted was on August 5, 2022, and nothing prior to that date. Petitioner testified that she did not receive the Out of State Benefit Match Notices or the Notice of Case Action because she consistently has trouble with the mail. She testified that she must make appointments at the Post Office to retrieve her mail and that it is not always delivered to her home. Petitioner asserted that the Department was aware of the mail problems she was experiencing. Petitioner testified that she called her case worker after her benefits were not loaded onto her card and that is how she found out her case had closed. However, the Department explained that Petitioner was informed that she could sign up for text alerts to be notified when documents are uploaded to her electronic MiBridges account, and she can access all of her information and documents online via MiBridges. Petitioner confirmed that she was aware for two years that her daughter had been identified on a benefit case in the State of Arizona as the child's father fraudulently requested benefits on behalf of the child, despite her living in Michigan with Petitioner. However, despite having this information, Petitioner did not contact the State of Arizona to resolve the issue or to report that her daughter was not living in Arizona until August 2022.

Upon review, because Petitioner did not submit the Out of State Benefit Match Notices by the due dates identified and because Petitioner's testimony throughout the hearing was inconsistent as to whether she complied with the Department's requests for information, the Department properly closed Petitioner's FIP case effective August 1, 2022. 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 closed Petitioner's FIP case. Petitioner is advised that she is entitled to submit a new application for FIP benefits, and her eligibility will be determined.

**DECISION AND ORDER**

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

ZB/tm

  
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**Zainab A. Baydoun**  
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**  
LaClair Winbush  
Wayne-District 31 (Grandmont)  
17455 Grand River  
Detroit, MI 48227

**Interested Parties**  
B. Sanborn  
M. Schoch  
BSC4  
MOAHR

**Via First Class Mail:**

**Petitioner**  
[Redacted]  
[Redacted]  
[Redacted], MI [Redacted]