



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: June 6, 2023
MOAHR Docket No.: 23-002015
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 May 4, 2023, from Detroit, Michigan. Petitioner appeared for the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Corlette Brown, Hearing Facilitator and Charles Walker, Assistance Payments Supervisor.

ISSUE

Did the Department properly process Petitioner's Child Development and Care (CDC) 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. Petitioner is an ongoing recipient of CDC benefits. Petitioner was approved for CDC benefits in connection with an application submitted in August 2022.
2. Petitioner's CDC provider has not received payment for services care provided because the provider number has expired, and the provider has not reenrolled in the program.
3. On or around March 31, 2023, Petitioner requested a hearing disputing the Department's actions with respect to her CDC case and her provider not receiving payment from the Department for services rendered.

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 Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, 42 USC 601-619, 670-679c, and 1397-1397m-5; the Child Care and Development Block Grant of 1990, PL 101-508, 42 USC 9858 to 9858q; and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193. The program is implemented by 45 CFR 98.1-99.33. The Department administers the program pursuant to MCL 400.10 and provides services to adults and children pursuant to MCL 400.14(1) and Mich Admin Code, R 400.5001-.5020.

The goal of the CDC program is to support low-income families by providing access to high-quality, affordable and accessible early learning and development opportunities and to assist the family in achieving economic independence and self-sufficiency. BEM 703 (January 2023), p.1. CDC payments are made when all of the following are true: all eligibility requirements are met, a CDC case is open in Bridges, and eligible provider is assigned to the child and provides care, the provider successfully bills for child care, and payment limits have not been reached. CDC providers are paid for costs associated with child care by submitting billing through the Internet billing (I-Billing) system. BEM 706 (October 2022), p.1.

In this case, Petitioner requested a hearing disputing the Department's actions with respect to her CDC case. Petitioner testified that her children's CDC provider has not received payment for services provided. Petitioner could not identify the time period in which her children received child care through the provider that required payment.

At the hearing, the Department confirmed that Petitioner has been approved for CDC benefits since August 2022. The Department representative testified that there have been no payments issued because Petitioner's CDC provider is not eligible as she is not validly enrolled and her provider ID number has expired. (Exhibit B). Petitioner asserted that she submitted the DHS 4025, Child Development and Care Provider Verification form on more than one occasion; however, the Department representative testified that although the forms were submitted, the provider ID identified is inactive and cannot be used. The Department representative testified that Petitioner must submit an application for a new provider number and to complete a DHS 4025, Child Development and Care Provider Verification form which includes the provider ID number and other required information prior to being eligible for CDC payment. Petitioner testified that she was unaware that the provider number was expired and upon learning so prior to the hearing, the CDC provider submitted the required information for new enrollment and a new provider number. Based on the evidence presented, because Petitioner's CDC

provider was not validly enrolled, and did not have a valid provider ID number, the Department was unable to issue CDC payments on Petitioner's behalf.

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

DECISION AND ORDER

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

ZB/ml



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

Corlette Brown
Wayne-District 31 (Grandmont)
17455 Grand River
Detroit, MI 48227

MDHHS-Wayne-31-Grandmont-Hearings@Michigan.gov

Interested Parties

BSC4
L Brewer-Walraven
MOAHR

Via First Class Mail:

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