



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

June 22, 2022

NOTICE OF FILING

ADMINISTRATIVE RULES

To: Secretary of the Senate
Clerk of the House of Representatives
Joint Committee on Administrative Rules
Michigan Office of Administrative Hearings and Rules (Administrative Rule #21-087-HS)
Legislative Service Bureau (Secretary of State Filing #22-06-04)
Department of Health and Human Services

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #21-087-HS (Secretary of State Filing #22-06-04) on this date at 11:00 A.M. for the Department of Health and Human Services entitled, "Family Independence Program".

These rules take effect in 7 days upon filing with the Secretary of State.

Sincerely,

Jocelyn Benson
Secretary of State

Sue Sayer / CK

Sue Sayer, Departmental Supervisor
Office of the Great Seal

Enclosure



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
LANSING
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
SUZANNE SONNEBORN
EXECUTIVE DIRECTOR

ORLENE HAWKS
DIRECTOR

June 22, 2022

The Honorable Jocelyn Benson
Secretary of State
Office of the Great Seal
Richard H. Austin Building – 1st Floor
430 W. Allegan
Lansing, MI 48909

Dear Secretary Benson:

Re: Administrative Rules – Michigan Office of Administrative Hearings and Rules
Administrative Rules #: 2021-87 HS

The Michigan Office of Administrative Hearings and Rules received administrative rules, dated October 26, 2021 for the Department of Health and Human Services “**Family Independence Program**”. We are transmitting these rules to you pursuant to the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6.

Sincerely,

A handwritten signature in black ink, appearing to be "Suzanne Sonneborn".

Michigan Office of Administrative Hearings and Rules



STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ELIZABETH HERTEL
DIRECTOR

CERTIFICATE OF ADOPTION

By authority conferred on the Department of Health and Human Services by section 6 of the Social Welfare Act, 1939 PA 280, MCL 400.6, the Director formally adopts the rules, "Family Independence Program".

R 400.3107 is amended in the Michigan Administrative Code.

Date: April 28, 2022

A handwritten signature in cursive script, appearing to read "Elizabeth Hertel", written over a horizontal line.

Elizabeth Hertel



STATE OF MICHIGAN

GRETCHEN WHITMER
GOVERNOR

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

ORLENE HAWKS
DIRECTOR

LEGAL CERTIFICATION OF RULES

I certify that I have examined the attached administrative rules, dated October 26, 2021, in which the Department of Health and Human Services proposes to modify a portion of the Michigan Administrative Code entitled “**Family Independence Program**” by:

- ◆ Amending R 400.3107.

The Legislative Service Bureau has approved the proposed rules as to form, classification, and arrangement.

I approve the rules as to legality pursuant to the Administrative Procedures Act, MCL 24.201 *et seq.* and Executive Order No. 2019-6. In certifying the rules as to legality, I have determined that they are within the scope of the authority of the agency, do not violate constitutional rights, and are in conformity with the requirements of the Administrative Procedures Act.

Dated: April 19, 2022

Michigan Office of Administrative Hearings and Rules

By: *Emily Leik*


Emily Leik,
Attorney

CERTIFICATE OF APPROVAL

On behalf of the Legislative Service Bureau, and as required by section 45 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245, I have examined the proposed rules of the Department of Health and Human Services dated October 26, 2021, amending R 400.3107 of the Department's rules entitled "Family Independence Program." I approve the rules as to form, classification, and arrangement.

Dated: April 19, 2022

LEGISLATIVE SERVICE BUREAU

By 
Rachel M. Hughart,
Legal Counsel

DEPARTMENT OF HEALTH AND HUMAN SERVICES
ECONOMIC STABILITY ADMINISTRATION
FAMILY INDEPENDENCE PROGRAM

Filed with the secretary of state on June 22, 2022

These rules become effective 7 days after filing with the secretary of state.

(By authority conferred on the department of health and human services by section 6 of the social welfare act, 1939 PA 280, MCL 400.6)

R 400.3107 of the Michigan Administrative Code is amended, as follows:

R 400.3107 Applications.

Rule 7. (1) Any person may apply for assistance for himself or herself. With the group's permission, a person who is 18 years of age or older may be authorized to represent and apply on behalf of the group.

(2) A person may submit an application by fax on a form prescribed by the department. The original, signed application must be received by the department before benefits are approved.

(3) A person shall complete a department application form when first applying for assistance benefits and when eligibility is redetermined.

(4) The department must accept an application and register it as soon as it is filed if it contains the minimum information established by the department and is signed by the client or the client's authorized representative.

(5) Upon receipt of an incomplete application, the department staff shall provide the client with an appropriate form identifying the information needed to render the application complete and shall specify a due date by which the information must be provided. The department must deny eligibility, or terminate an ongoing assistance case, if the application remains incomplete. An incomplete application is valid through the last day of the month after the month of denial or termination and may be updated during that period.

(6) As part of the application and redetermination process, the department may conduct an official, confidential interview with the client, another responsible applicant group member, or the authorized representative. An interview must be conducted in a department local office during normal weekday office hours or by telephone.

October 26, 2021

FILED WITH SECRETARY OF STATE

ON 6/22/22 AT 11:00 A.M.