



### **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, Petitioner requested a hearing regarding the denial of his [REDACTED] 2022 FIP application for failure to return verification of Son's enrollment in school.

Dependent children are expected to attend school full-time, and graduate from high school, or a high school equivalency program, in order to enhance their potential to obtain future employment leading to self-sufficiency. Dependent children ages 6 through 17 must attend school full-time. A dependent child age 16 or 17 who is not attending high school full-time is disqualified from the FIP group. BEM 245 (April 2021), p. 1. MDHHS must verify school enrollment and attendance at application beginning when a child is age 7 and verify school enrollment and attendance at application, redetermination and at each birthday beginning with age 16. MDHHS must verify the completion and results of the 21-day attendance requirement for dependent children or minor parents at FIP application. BEM 245, p. 11. The client must obtain required verification, but the local office must assist if they need and request help. BAM 130 (January 2022), p. 3. If the time period given to provide verifications has elapsed and the client has not made a reasonable effort to provide it, then a negative action notice must be sent. BAM 130, p. 7.

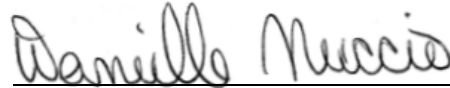
In this case, Petitioner testified that he did not submit verification of Son's enrollment in school to MDHHS until July 3, 2022. Petitioner testified that at the time of the FIP application, and subsequent VCL being issued, Son was not enrolled in school. Therefore, Petitioner was not eligible for FIP because his dependent child did not meet the requirements of full-time school attendance. Since Petitioner did not provide verifications timely and was not eligible for FIP, MDHHS acted in accordance with policy in denying Petitioner's [REDACTED] 2022 FIP application.

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 MDHHS acted in accordance with Department policy when it denied Petitioner's FIP application.

**DECISION AND ORDER**

Accordingly, MDHHS' decision is **AFFIRMED**.

DN/mp



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**Danielle Nuccio**

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**  
MDHHS-Macomb-20-Hearings  
B. Sanborn  
MOAHR  
BSC4

**Via-First Class Mail :**

**Petitioner**  
[REDACTED] [REDACTED] [REDACTED].  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED] MI [REDACTED]