



GRETCHEN WHITMER  
GOVERNOR

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

MARLON I. BROWN, DPA  
DIRECTOR

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Date Mailed: December 20, 2024  
MOAHR Docket No.: 24-013062  
Agency No.: ██████████  
Petitioner: ██████████

**ADMINISTRATIVE LAW JUDGE: Danielle R. Harkness**

**HEARING DECISION**

On November 12, 2024, Petitioner, ██████████ requested a hearing to dispute the Department's denial of Family Independence Program (FIP) cash assistance bridge card fraud replacement benefits. Following Petitioner's hearing request, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, 45 CFR 205.10, and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on December 19, 2024. Petitioner, ██████████, appeared and represented herself. The Department of Health and Human Services (Department) was represented by Tracy Nguyen, Eligibility Specialist/Assistance Payment Lead Worker.

A 15-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

**ISSUE**

Did the Department properly determine that it could not stop payment on Petitioner's October 16, 2024, FIP benefit warrant or replace it?

**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 ██████████ 2024, the Department issued a FIP cash assistance warrant (benefit number: ██████████) for ██████████ to Petitioner.
2. On ██████████ 2024, Petitioner contacted the Department to report lost FIP funds via an ATM at a ██████████ in ██████████ MI.
3. Petitioner informed the Department that on ██████████ 2024, when she attempted to withdraw her cash from her Bridge card via an ATM an error message displayed on the ATM screen indicating that the transaction could not be processed.

4. Petitioner informed the Department that she visited another ATM at the same [REDACTED] location to attempt to withdraw the funds but was unable to do so and a message displayed on the ATM screen indicating that there were no available funds.
5. Petitioner informed the Department that when she informed [REDACTED] about the issue, she was told there is nothing the bank can do.
6. A Department manager sent an email to the Department's FIP Policy Division who responded that Petitioner's matter does not meet the criteria to approve cash assistance bridge card fraud replacement benefits.
7. On October 30, 2024, the Department mailed a Benefit Notice to Petitioner notifying her that her request for fraud replacement benefits was denied because her request does not meet the cash assistance fraud replacement requirements.
8. On November 12, 2024, Petitioner requested a hearing to dispute the Department's denial.

### 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 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 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.

Michigan Department of Health and Human Services (MDHHS) replaces warrants reported lost, stolen, not received, or destroyed. BAM 500, (July 1, 2024), p. 1. Clients and providers sometimes request replacement of warrants never received which they do **not** believe were lost or stolen. *Id. at 1-2.* Determine in Bridges, Benefit Issuance, whether the warrant was issued. If the warrant was issued, obtain the warrant number, warrant date, amount, and Warrant Status. *Id.* If Bridges indicates it was returned/cancelled to Treasury; [see BAM 505, Returned Benefits](#). *Id.*

In this case, the Department denied Petitioner's request for fraud replacement benefits. At the hearing, Petitioner testified that around 9:17 a.m. on [REDACTED] 2024, she visited a [REDACTED] ATM and attempted to withdraw cash from her FIP Bridge card. However, she received an error message on the ATM screen indicating that the transaction could not be processed. Petitioner testified that she then visited another [REDACTED] ATM at the same location to attempt to withdraw cash from the Bridge card,

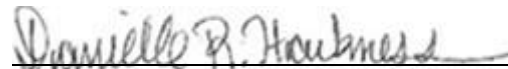
but she received an error message indicating that there were no available funds. No testimony or other evidence was presented by Petitioner to show that she went inside of the [REDACTED] where the ATMs were located to speak with a bank employee in-person about this issue, and no explanation was provided as to why Petitioner was unable to do so.

The Department provided documentation to establish that the FIP cash assistance benefits issued to Petitioner on [REDACTED] 2024, were not lost or stolen. Further, the Department established that the [REDACTED] 2024, FIP cash assistance warrant was not returned to Treasury. During the hearing, Petitioner acknowledged that her FIP cash assistance benefits issued on [REDACTED] 2024, were not lost or stolen and that no fraud occurred. Therefore, this Administrative Law Judge (ALJ) finds that the Department properly determined that it could not stop payment on Petitioner's [REDACTED] 2024, FIP warrant or replace it. Petitioner is encouraged to follow-up with her bank to attempt to resolve this issue. If Petitioner is unable to resolve this issue with her bank, she may want to consider contacting an attorney or Michigan legal aid for assistance.

### **DECISION AND ORDER**

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 its policies and the applicable law when the Department determined that it could not stop payment on Petitioner's FIP warrant issued on [REDACTED] 2024, or replace it.

DH/pt



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**Danielle R. Harkness**

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**  
Lisa Keough  
Livingston County DHHS  
2300 E Grand River Ste. 1  
Howell, MI 48843  
**MDHHS-Livingston-Hearings@michigan.gov**

**Interested Parties**  
BSC4  
B Sanborn  
MOAHR

**Via-First Class Mail:**

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