



GRETCHEN WHITMER  
GOVERNOR

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

MARLON BROWN  
DIRECTOR

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[REDACTED]  
[REDACTED], MI [REDACTED]

Date Mailed: February 21, 2025  
MOAHR Docket No.: 24-014072  
Agency No.: [REDACTED]  
Petitioner: [REDACTED] [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Linda Jordan**

**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 hearing was held on January 22, 2025, via teleconference. Petitioner appeared and represented herself. Lianne Scupholm, Hearings Facilitator, appeared on behalf of the Michigan Department of Health and Human Services (MDHHS or Department). MDHHS' Hearing Packet was admitted into evidence as MDHHS Exhibit A, pp. 1-15.

**ISSUE**

Did MDHHS properly terminate Petitioner's Family Independence Program (FIP)/Cash 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 was an ongoing recipient of FIP.
2. On December 3, 2024, MDHHS sent Petitioner a Notice of Case Action indicating that her FIP/cash benefits would close, effective January 1, 2025 (Exhibit A, p. 6). The reason for the closure was that Petitioner had received 48 months or more of benefits, which is the time allowed for the program (Exhibit A, p. 7).
3. On December 16, 2024, Petitioner requested a hearing regarding the termination of FIP benefits.

**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. MDHHS 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, MDHHS terminated Petitioner's FIP/cash assistance benefits because it determined that she had received the lifetime limit for FIP.

FIP is a cash assistance program designed to help individuals and families become self-sufficient. BEM 209 (July 2017), p. 1. FIP is not an entitlement program. BEM 234 (July 2013), p. 1. On Oct. 1, 1996, Michigan law reduced the cumulative total of FIP to 48 months during an individual's lifetime. *Id.* Also, under FIP, a family is not eligible for assistance beyond 60 consecutive or non-consecutive federally funded months. *Id.* Any month that an individual's FIP assistance is state funded is not a countable month toward the federal time limit count. *Id.*, p. 3. To meet the goals of FIP, MDHHS has determined to state fund cases that meet certain criteria. The state time limit reflects the number of remaining months an individual may receive FIP in the State of Michigan. *Id.*, p. 4. Michigan has a 48-month lifetime limit. This 48-month lifetime limit is more restrictive than the federal 60-month lifetime limit. *Id.* Each month an individual receives FIP, regardless of the funding source (federal or state), the individual receives a count of one month. *Id.* A family is ineligible for FIP when a mandatory group member in the program group reaches the 48-month state time limit. *Id.*

MDHHS presented evidence that Petitioner's FIP was state-funded and that Petitioner was a mandatory group member. Additionally, MDHHS presented evidence that Petitioner had received FIP for 48 months, which excluded exemption months and disqualification/penalty periods (Exhibit A, p. 13). Petitioner did not present sufficient evidence to show that the count was inaccurate or that she qualified for an exemption. Therefore, MDHHS properly terminated Petitioner's FIP assistance because she had reached the state time limit for the program.

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 terminated Petitioner's FIP benefits.

**DECISION AND ORDER**

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



LJ/nr

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**Linda Jordan**  
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**

Kristina Etheridge  
Calhoun County DHHS  
190 East Michigan  
Battle Creek, MI 49016  
**MDHHS-Calhoun-Hearings@michigan.gov**

**Interested Parties**

BSC3  
B. Sanborn  
MOAHR

**Via-First Class Mail :**

**Petitioner**

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