



Date Mailed: February 19, 2025

Docket No.: 25-001997

Case No.: 103055014

Petitioner: [REDACTED]

«RECIP\_FULL\_NAME»

«RECIP\_ADD0»

«RECIP\_ADD1»

«RECIP\_ADD2»

«RECIP\_CITY», «RECIP\_SPCODE»

«RECIP\_POSTAL»

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এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

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这是一份重要的法律文件。请让别人翻译文件。

Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

### **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; 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 via telephone conference on February 6, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Marcella Towns, Assistance Payments Worker.

### **ISSUE**

Did the Department properly close Petitioner's Food Assistance Program (FAP) benefit for failing to timely return her Redetermination form?

### **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 FAP recipient with a FAP certification period that expired December 31, 2024.
2. On November 4, 2024, the Department sent a redetermination application to Petitioner with a November 25, 2024 due date. Exhibit A, p. 6.
3. Petitioner's FAP benefits closed effective December 31, 2024.

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4. On January 2, 2025, Petitioner requested a hearing contesting the Department's closure. Exhibit A, pp. 3-10).
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### **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 Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 2036a and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Department of Human Services) administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-119b, and Mich Admin Code, R 400.3001-.3011.

In this case, Petitioner disputes the Department's closure of her FAP benefits for failure to complete the FAP redetermination process.

For all programs, the Department must periodically redetermine or renew an individual's eligibility for active programs. BAM 210 (January 2025), p. 1. The process includes a thorough review of all eligibility factors. BAM 210, p. 1. Clients must complete the redetermination process, or the benefit period will expire. BAM 210, p. 4. In order to receive uninterrupted FAP benefits (benefits available on his/her scheduled issuance date), the client must file the redetermination through MI Bridges or file a FAP application by the fifteenth of the redetermination month. BAM 210, p. 16. For FAP, if the redetermination packet is not logged in by the last working day of the redetermination month, Bridges automatically closes the EDG (eligibility determination group), and a notice of case action (DHS-1605) is not generated notifying the client of the case closure. BAM 210, p. 13. If the client does not begin the redetermination process, the benefit period is allowed to expire. Once the benefit period has expired, the client must file a new FAP application.

The Department contended it properly terminated Petitioner's FAP eligibility on December 31, 2024, after it sent Petitioner a redetermination to complete and return to the Department by November 25, 2024 and Petitioner failed to return redetermination documents to the Department by December 31, 2024, the end of the certification period. Petitioner responded that the Department improperly terminated her FAP benefits because she timely filed the redetermination via the MiBridges online system in October 2024 and presented documentation from her online account showing that on Wednesday, October 16, 2024 at 10:23 am, she submitted an application via the online MiBridges system. Exhibit 1, p. 1.

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The Department testified that Petitioner's redetermination packet was sent to her on November 4, 2024, with a due date of November 25, 2024. Exhibit A, p. 6. Because Petitioner was an ongoing FAP recipient in October 2024 and the Department did not send a redetermination to her until November 2024, the Department would not be expected to consider an application received before the redetermination was sent in assessing Petitioner's ongoing FAP eligibility for the new certification period. Petitioner's FAP case closed on December 31, 2024. Petitioner testified that the Department had not acted according to policy because it did not send her notice of case action regarding the closure of her FAP case. At the hearing, the Department acknowledged that a notice of case action was not sent to Petitioner. However, according to Department policy, notice of case action is not sent when the FAP certification period has expired, and redetermination application is not filed. BAM 220 (November 2023), p. 5.

When Petitioner filed a request for hearing on January 2, 2025 disputing the FAP closure, she included a completed and signed redetermination application that the Department testified it processed and concluded that Petitioner had excess income making Petitioner ineligible for FAP benefits.

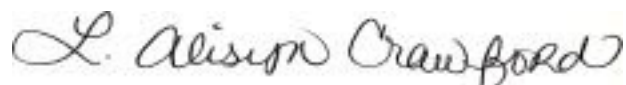
Although the Department attempted to explain the basis for its income calculation, it had not prepared to address this issue at the hearing and none of its proposed exhibits were related to income eligibility. Because Petitioner's hearing request concerned the Department's closure of her FAP case due to failure to submit a redetermination, the undersigned is limited to the issue of the December 2024 FAP closure due to failure to provide redetermination paperwork but she is advised that if she disputes the denial of the January 2025 FAP determination due to excess income, she may file a new request for hearing, so the Department has an adequate opportunity to prepare for that issue at hearing.

Regarding the December 2024 FAP case closure, the evidence supports the automatic closure of Petitioner's FAP case effective December 31, 2024 because the redetermination was not submitted by the last day of the redetermination month.

### **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 did act in accordance with Department policy when it closed Petitioner's FAP case due to Petitioner's failure to timely provide the redetermination application to the Department.

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



**L. ALISYN CRAWFORD**  
**ADMINISTRATIVE LAW JUDGE**

25-001997

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**APPEAL RIGHTS:** Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at [courts.michigan.gov](https://courts.michigan.gov). The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://lrs.michbar.org> or Michigan Legal Help at <https://michiganlegalhelp.org>. A copy of the circuit court appeal should be sent to MOAHR. A circuit court appeal may result in a reversal of the Hearing Decision.

Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation of the specific reasons for the request, and any documents supporting the request. The request should be sent to MOAHR

- by email to [MOAHR-BSD-Support@michigan.gov](mailto:MOAHR-BSD-Support@michigan.gov), **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to  
Michigan Office of Administrative Hearings and Rules  
Rehearing/Reconsideration Request  
P.O. Box 30639  
Lansing Michigan 48909-8139

Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks.

**Via Electronic Mail:**

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**Interested Parties**

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MOAHR

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**Petitioner**

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