



**Date Mailed:** June 24, 2025

**Docket No.:** 25-011514

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

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هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

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

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

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**Petitioner:** [REDACTED] [REDACTED]

### **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 May 27, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Cindy Wasaya and Marilyn Hulan. Department Exhibit 1, pp. 1-28 was received and admitted.

### **ISSUE**

Did the Department properly close Petitioner's Family Independence Program (FIP) benefit because she failed to participate with PATH?

### **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 active for FIP with a medical deferral determination pending with the Medical Review Team.
2. On January [REDACTED] 2025, Petitioner was found to be not disabled and work ready by the Medical Review team.
3. On February [REDACTED] 2025, Petitioner was referred to PATH with a March 3, 2025, appointment.
4. Petitioner did not appear for her PATH appointment.
5. On March [REDACTED] 2025, Notice of Noncompliance and a triage meeting notice for March 17, 2025, was sent to Petitioner.
6. Petitioner did not appear for the triage meeting.
7. Petitioner was found to not have good cause at the triage meeting.

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8. Petitioner's FIP closed with a 3 month sanction from April 1, 2025, through June 30, 2025.
  9. On March 19, 2025, Petitioner requested a hearing disputing the closure of FIP.
  10. At hearing, Petitioner testified that she had young children in her care that have health issues that require that she care for the children in the home and preclude her from participating with PATH.
  11. At the hearing, Department worker Marilyn Hukan agreed to reinstate Petitioner's FIP case and given her an opportunity to provide proof that the young children in her care have health issues that require that she be in the home to care for the children.
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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 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.

#### **Clients Not Penalized**

Ineligible caretakers, disqualified non-citizens, and single parents who cannot find appropriate child care for a child under age six are not required to participate. BEM 233A (October 2022)

In this case, Petitioner testified that she had young children in her care that have health issues that require that she care for the children in the home and preclude her from participating with PATH. Department worker Marilyn Hukan agreed to reinstate Petitioner's case and given her an opportunity to provide proof that the young children in her care have health issues that require that she be in the home to care for the children. Therefore, the closure of FIP for failing to participate with PATH was improper and incorrect. BEM 233A

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## **DECISION AND ORDER**

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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 failed to satisfy its burden of showing that it acted in accordance with Department policy when it closed Petitioner's FIP case for failing to participate with PATH.

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

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Reinstate Petitioner's FIP case going back to the date of closure.
2. Lift the sanction for failing to participate with PATH.



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**AARON MCCLINTIC**  
**ADMINISTRATIVE LAW JUDGE**

**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. 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. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed.

**Via Electronic Mail:**

**Respondent**  
WASHTENAW COUNTY DHHS  
22 CENTER ST  
YPSILANTI, MI 48198  
**MDHHS-WASHTENAW-  
HEARINGS@MICHIGAN.GOV**

**Via First Class Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]