



**Date Mailed:** June 4, 2025

**Docket No.:** 25-014172

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

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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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### **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 8, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Zina Ani. Department Exhibit 1, pp. 1-35 was received and admitted.

### **ISSUE**

Did the Department properly deny Petitioner's Child Development and Care (CDC) application for failing to return verifications?

### **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 February [REDACTED] 2025, Petitioner applied for CDC.
2. On February [REDACTED] 2025, a Verification Checklist with February 24, 2025, due date was sent to Petitioner requesting verification of CDC need for employment.
3. On February [REDACTED] 2025, a Notice of Case Action was sent to Petitioner informing her that her CDC application was denied for failing to return requested verifications.
4. On March [REDACTED] 2025, Petitioner applied again for CDC and was approved.
5. On April [REDACTED] 2025, Petitioner requested hearing disputing the denial of CDC.

### **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

25-014172

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Tables Manual (RFT), and Department of Health and Human Services Emergency Relief Manual (ERM).

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The Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, 42 USC 601-619, 670-679c, and 1397-1397m-5; the Child Care and Development Block Grant of 1990, PL 101-508, 42 USC 9858 to 9858q; and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193. The program is implemented by 45 CFR 98.1-99.33. The Department administers the program pursuant to MCL 400.10 and provides services to adults and children pursuant to MCL 400.14(1) and Mich Admin Code, R 400.5001-.5020.

### **Tools to Verify Need Based on Employment/Self-Employment**

Self-employment: Use the following tool to verify the need for CDC based on self-employment: • DHS-431, Self-Employment Income and Expense Statement. Note: S-Corporations and Limited Liability Companies (LLCs) are not self-employment; see BEM 502. Employment: Use one of the following as tools to verify the need for CDC based on employment: • A copy of a work schedule indicating the number of hours worked. • Pay stubs indicating number of work hours. • MDHHS-38, Verification of Employment, completed by the employer. • Equifax Verification Services (formerly known as the TALX/Work Number) and MIS (Management Information System). • DHS-3569, Agricultural Worker Income Verification, completed by the employer. • Signed statement by the employer that contains: Employment begin date. Number of hours the client works. For income eligible clients, dates and amounts of client's paychecks for the requested period. • Collateral contact with the employer if the employer refuses or is unable to complete the MDHHS-38, DHS-3569, or a signed statement, or if the client is unable to obtain his/her work schedule from the employer or the pay stubs do not indicate number of work hours. Complete the MDHHS-38 or DHS-3569 based on the information obtained from this contact. BEM 703

Send a negative action notice when: • The client indicates refusal to provide a verification, or • The time period given has elapsed and the client has not made a reasonable effort to provide it. BAM 130

In this case, on February ■ 2025, Petitioner applied for CDC. On February ■ 2025, a Verification Checklist with a February 24, 2025, due date was sent to Petitioner requesting verification of "CDC needed for employment" and listed what acceptable verifications are. (Ex. 1, p.12) This verification is needed to show that the applicant has hours that they are working and that they need day care assistance. Petitioner provided her pay stubs showing how much she was being paid but the pay stubs did not show what hours she was working. Petitioner correctly pointed out that she was under the income limits for CDC at all times, but she did not provide verification of when she was working and when she needed day care. Following her subsequent application, Petitioner provided a signed statement showing what hours she was working and that was accepted, and her benefit was approved. With regard to the February ■ 2025, application, Petitioner did not provide

25-014172

the required verification prior to the deadline and therefore, the denial for failing to verify was proper and correct and consistent with Department policy. BAM 130, BEM 703

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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 acted in accordance with Department policy when it denied Petitioner's CDC application for failing to verify what hours she was working and her need for day care.

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



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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.

25-014172

**Via Electronic Mail:**

**Respondent**

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**BSC3HEARINGDECISIONS**

**MOAHR**

**Via First Class Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]