



**Date Mailed:** July 8, 2025

**Docket No.:** 25-017744

**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 June 12, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Yvonna Lagrasso, Eligibility Specialist. Department Exhibit 1, pp. 1-47 and Exhibit 2, pp. 1-10 were received and admitted.

### **ISSUE**

Did the Department properly deny Petitioner's Family Independence Program (FIP) application due to excess income and determine Petitioner's Food Assistance Program (FAP) benefit amount?

### **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 March [REDACTED] 2025, filed an application that did not include FIP.
2. On April [REDACTED] 2025, Petitioner applied for FIP and SER.
3. In April 2025, Petitioner was receiving \$[REDACTED] in unemployment compensation per week.
4. Household member [REDACTED] receives \$[REDACTED] per month in RSDI benefits but that money was not going to Petitioner during the months in question and at the time of hearing.
5. On April [REDACTED] 2025, Notice of Case Action was sent to Petitioner informing her that her FIP application was denied due to excess income.
6. On May [REDACTED] 2025, Notice of Case Action was sent to Petitioner informing her that her FIP application was denied due to excess income.

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7. On May ■ 2025, Petitioner requested hearing raising issues with regard to her FIP and FAP benefits.
  8. Petitioner received \$■ in FAP in March 2025 including the supplement.
  9. Petitioner received \$■ in FAP in April 2025.
  10. Petitioner received \$■ in FAP in May 2025 including the supplement.
  11. Petitioner received \$■ in FAP in June 2025.
  12. Petitioner testified at hearing that she believed she was eligible for FIP in March and April 2025.
  13. Petitioner testified that she received a lump sum of unemployment on April ■ 2025, that covered several unemployment payments.
  14. The Unemployment Compensation printout shows that Petitioner was approved for unemployment effective March ■ 2025, and was issued unemployment payments of \$■ on April ■ and April ■ 2025.

### **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.

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, with regard to FIP, Petitioner applied on April ■ 2025. Petitioner testified that she believed she applied for FIP in March 2025 but could not provide an exact date

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and provided no proof that she applied for FIP in March 2025. For the April ■ 2025, FIP application, Petitioner was approved for unemployment effective March ■ 2025 and was issued payments on April ■ and April ■ of \$■ each. The payment standard for FIP for a household of 4 was \$■ therefore Petitioner was well over the income limit in April 2025 and the denial due to excess income was proper and correct.

With regard to FAP, ■ RSDI income was not included in the April and May 2025 FAP budgets after Petitioner reported that she was not receiving his RSDI.

For March 2025, Petitioner had \$■ in earned income and \$■ in unearned income for a total income of \$■. After subtracting the earned income deduction, the standard deduction and the dependent care deduction, Petitioner had \$■ adjusted gross income. After subtracting \$■ for the excess shelter deduction, Petitioner had \$■ net income. A household of 5 with \$1199 net income is entitled to \$798 in benefit, this was the amount determined by the Department and it was proper and correct and consistent with Department policy.

For April 2025, the budgeting provided by the Department shows that Petitioner was entitled to \$■ (Ex. 2, p.5) Petitioner actually received \$■ according to the Benefit Summary inquiry printout. No explanation was given for that discrepancy. The Department stated that an overissuance referral would be made but had not been done at the time of hearing. That issue was not part of this hearing and will not be addressed.

### **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 Department policy when it denied Petitioner's FIP application due to excess income and when it determined Petitioner's FAP benefit amount for March 2025.

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



**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**

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WARREN, MI 48089

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HEARINGS@MICHIGAN.GOV**

**Via First Class Mail:**

**Petitioner**

[REDACTED]

[REDACTED]

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