



Date Mailed: August 15, 2025

Docket No.: 25-018053

Case No.: [REDACTED]

Petitioner: [REDACTED]

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

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[REDACTED] MI [REDACTED]

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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 July 15, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Jennifer Parpart, Family Independence Specialist (FIS); Rachelle Nogueira, Family Independence Manager (FIM); and Melissa Minard, Assistance Payments Worker (APW). From Port Huron PATH Nicholas Morehead, Employment Training Coordinator; and Brianna Jack, Team Lead, appeared as witnesses for the Department.

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-12.

ISSUE

Did the Department properly close and sanction Petitioner's Family Independence Program (FIP) case for noncompliance with Partnership, Accountability, Training, Hope (PATH) program requirements?

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 a recipient of FIP benefits and a mandatory PATH participant.
2. On April 14, 2025, Petitioner was assigned to triage after failing to start community service and notify PATH staff about it and failing to attend her PATH re-engagement meeting. Petitioner was sent written notice of the scheduled triage meeting. (Exhibit A, pp. 1 and 8)
3. On April 14, 2025, a Notice of Case Action was issued to Petitioner stating her FIP case would close effective May 1, 2025, based on noncompliance with PATH. The notice indicated there would be a 3-month sanction (Exhibit A, pp. 6-7)

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4. The triage meeting was held on April 23, 2025, and no good cause was found. (Exhibit A, pp. 8 and 12)
 5. On May 2, 2025, Petitioner filed a hearing request contesting the Department's determination. (Exhibit A, pp. 4-5)
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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.

FIP is temporary cash assistance to support a family's movement to self-sufficiency. The recipients of FIP engage in employment and self-sufficiency related activities so they can become self-supporting. BEM 230 A, October 1, 2022, p. 1.

Federal and state laws require each work eligible individual (WEI) in the FIP group to participate in Partnership, Accountability, Training, Hope (PATH) or other employment-related activity unless temporarily deferred or engaged in activities that meet participation requirements. These clients must participate in employment and/or self-sufficiency related activities to increase their employability and obtain employment. BEM 230 A, p. 1. A WEI who refuses, without good cause, to participate in assigned employment and/or other self-sufficiency related activities is subject to penalties. BEM 230 A, p. 1.

A WEI and non-WEIs¹, who fails to participate in employment or self-sufficiency-related activities without good cause, must be penalized. Depending on the case situation, penalties include the following: delay in eligibility at application; ineligibility (denial or termination of FIP with no minimum penalty period); case closure for a minimum of three months for the first episode of noncompliance, six months for the second episode of noncompliance, and lifetime closure for the third episode of noncompliance. The goal of the FIP penalty policy is to obtain client compliance with appropriate work and/or self-sufficiency related assignments and to ensure that barriers to such compliance have been identified and removed. The goal is to bring the client into compliance. BEM 233A, October 1, 2022, p. 1.

¹ Except ineligible grantees, clients deferred for lack of child care, and disqualified aliens. See BEM 228.

Noncompliance of applicants, recipients, or member adds includes, without good cause, failing or refusing to: appear and participate with PATH or other employment service provider; provide legitimate documentation of work participation; participate in employment and/or self-sufficiency-related activities; or participate in required activity; and stating orally or in writing a definite intent not to comply with program requirements. BEM 233A, p. 2.

Good cause is a valid reason for noncompliance with employment and/or self-sufficiency related activities that are based on factors that are beyond the control of the noncompliant person. Regarding good cause based on no child care, the policy states that the client must have requested child care services from MDHHS, PATH, or other employment services provider prior to case closure for noncompliance and child care is needed for an eligible child, but none is appropriate, suitable, affordable and within reasonable distance of the client's home or work site. BEM 233A, pp. 4 and 5.

PATH participants will not be terminated from PATH without first scheduling a triage meeting with the client to jointly discuss noncompliance and good cause. Good cause is determined based on the best information available during the triage and prior to the negative action date. Good cause may be verified by information already on file with MDHHS or PATH. Good cause must be considered even if the client does not attend, with particular attention to possible disabilities (including disabilities that have not been diagnosed or identified by the client) and unmet needs for accommodation. BEM 233 A, pp. 9-10.

In this case, Petitioner was assigned to triage on April 14, 2025, after failing to start community service (CSP) and notify PATH staff about it and failing to attend her PATH re-engagement meeting. Petitioner was sent written notice of the scheduled triage meeting. (Exhibit A, pp. 1 and 8).

At triage, Petitioner told staff her failure to start CSP was due to not having daycare. Good cause was not found as PATH staff told Petitioner several times she needed to secure daycare but Petitioner never followed through by applying for it with the Department. A review of the PATH notes shows that daycare concerns were discussed on March 3, 2025, March 14, 2025, March 26, 2025, March 28, 2025, and April 4, 2025. (Exhibit A, pp.9 -11). Petitioner's testimony acknowledged that she applied for childcare afterwards. (Petitioner Testimony). Accordingly, good cause cannot be found based on not having child care under the BEM 233 A policy because Petitioner had not applied for the child care services with the Department prior to case closure.

Regarding not attending CSP and not notifying PATH staff about it, the PATH notes show that on April 4, 2025, Petitioner was given her CSP assignment at Salvation Army. Petitioner was advised that if she did not complete 24 hours of CSP she would be noncompliant. Petitioner was further advised that if she was not going to attend CSP on April 7, 2025, she was to call the case manager that day. (Exhibit A, p. 9). On

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April 7, 2025 at 2:33 pm, the case manager called [REDACTED] to verify Petitioner started her CSP assignment, and was informed that Petitioner did not start that day. There is no documentation that Petitioner called the case manager to report she was not going to attend the CSP that date. Rather, on April 7, 2025, the case manager attempted to call Petitioner at 4:00 pm and got a message stating Petitioner was not taking calls. (Exhibit A, p. 9).

Petitioner felt that she was doing everything she needed to do based on her schooling. This was a program Michigan Works previously paid for Petitioner to attend online. Petitioner's testimony indicated she believes she should not have had to attend CSP because she was participating in the school program. (Petitioner Testimony). A review of the PATH notes shows that Petitioner's schooling program was discussed multiple times starting on March 3, 2025. However, when the school was contacted, they reported Petitioner was enrolled but had not attended classes. Petitioner indicated she stopped attending because she did not have internet at home and was advised of alternative options such as using the internet at other locations or checking out a hot spot from the library. The March 14, 2025 note indicates Petitioner was waiting for an email from her instructors to see if she could continue in the program. (Exhibit A, p. 11). A March 26, 2025 note documents that Petitioner was advised she needed to obtain a letter from her school with a new graduation date as well as class and study hours that would need to be reviewed to see if her schooling could possibly be counted. A March 28, 2025 note indicates Petitioner was still trying to get ahold of her advisor at the school. (Exhibit A, p. 10). The April 4, 2025 note documents that Petitioner still needed to turn in documentation from the school. (Exhibit A, p. 9). Accordingly, Petitioner was required to continue with the assigned PATH activities, such as the CSP, because the needed documentation had not been submitted to see if the schooling could count for her required PATH activities.

Regarding not attending the re-engagement meeting, an April 11, 2024 PATH note documents that Petitioner missed a meeting that date; the next meeting would be on April 14, 2025, at 8:45 am; and the April 14, 2025 meeting would be a re-engagement meeting for not attending the CSP and failing to inform the case manager she was not going to attend. (Exhibit A, p. 9). April 14, 2025, PATH notes document that Petitioner emailed at 12:18 am that she would not be at her re-engagement meeting at 8:45 am. The case manager emailed Petitioner back at 8:41 am stating Petitioner would be accommodated this time, but it was Petitioner's responsibility to call case manager at 1:00 pm or she would be sent to triage. Petitioner emailed back at 10:54 am "okay." Petitioner did not call in by 1:15 pm and her case was returned and action plan closed. Petitioner called at 1:19 pm and left a message and emailed at 1:24 pm stating she tried to call but left a message. (Exhibit A, p. 8).

Overall, good cause is not found for the noncompliance of failing to start CSP and notify PATH staff about it as well as failing to attend her PATH re-engagement meeting. Petitioner was advised of the CSP assignment she was to start on April 7, 2025, and was advised to call the case manager if she could not attend. Petitioner did not attend and

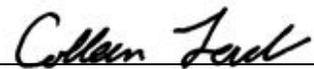
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did not call the case manager. While Petitioner asserts good cause based on a lack of child care, Petitioner's concerns regarding child care had been discussed over the prior month, and Petitioner did not apply for child care with the Department prior to the case closure for noncompliance. Petitioner was properly assigned to CSP because the needed documentation for her school program had not been provided. Therefore, there was no current approval for the schooling to count toward her PATH participation. Further, Petitioner was accommodated for the re-engagement meeting by the change in the meeting time. Petitioner agreed to the 1:00 pm time by email, but Petitioner did not call in by 1:15 pm to attend the re-engagement meeting. Accordingly, good cause is not found for Petitioner's noncompliance with PATH program requirements.

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 closed and sanctioned Petitioner's FIP case based on noncompliance with the PATH program requirements.

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



COLLEEN LACK
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. 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.

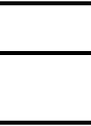
Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation 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, **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to

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Michigan Office of Administrative Hearings and Rules
Rehearing/Reconsideration Request
P.O. Box 30639
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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.



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