



Date Mailed: June 30, 2025

Docket No.: 25-019793

Case No.: [REDACTED]

Petitioner: [REDACTED]

This is an important legal document. Please have someone translate the document.

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

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

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

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.

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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 June 17, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Christie Trembley. Department Exhibit 1, pp. 1-26 was received and admitted.

ISSUE

Did the Department properly close Petitioner's Child Development and Care (CDC) benefit for failing to return redetermination paperwork?

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 December [REDACTED] 2024, redetermination paperwork was sent to Petitioner.
2. Petitioner testified at hearing that she submitted redetermination paperwork on December [REDACTED] 2024, using the envelope provided to her by the Department.
3. On January [REDACTED] 2025, a Notice of Potential Child Development and Care closure was sent to Petitioner informing her that her CDC benefit will close effective January 31, 2025, because you did not submit redetermination paperwork.
4. On January [REDACTED] 2025, a Notice of Case Action was sent to Petitioner informing her that she was approved for CDC through February 8, 2025.
5. On January [REDACTED] 2025, a Notice of Case Action was sent to Petitioner informing her that her CDC would be closing effective February 9, 2025.
6. On February [REDACTED] 2025, Petitioner filed a new application for CDC and was denied due to excess income.

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7. On March 10, 2025, Petitioner requested hearing disputing the closure of CDC benefit.
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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 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.

Timeliness of Verifications

FIP, SDA, RCA, Child Development and Care (CDC), FAP

Allow the client 10 calendar days (or other time limit specified in policy) to provide the verification that is requested. Exception: For CDC, if the client cannot provide the verification despite a reasonable effort, extend the time limit at least once. Exception: For CDC, at redetermination, if a signed redetermination form is received prior to the end of the redetermination month, and verifications are missing or incomplete, send a VCL. Verifications are due by the end of the redetermination month, or within 10 days after they are requested, which ever allows more time. Verifications are considered to be timely if received by the date they are due. For electronically transmitted verifications (fax, email or Mi Bridges document upload), the date of the transmission is the receipt date. Verifications that are submitted after the close of regular business hours through the drop box or by delivery of a MDHHS representative are considered to be received the next business day. 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, Petitioner was sent redetermination paperwork on December █ 2024. Petitioner testified that she submitted the requested information on December █ 2024, using the envelope provided to her by the Department. That paperwork was never received according to the testimony of the Department representative Ms. Trembley. Petitioner was sent three notices. The first notice was sent to Petitioner on January █ 2025, telling her that her CDC case would be closing effective January 31, 2025. The second notice was sent to Petitioner on January █ 2025, and informed her that she

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was approved for CDC through February 8, 2025. On February ■ 2025, a third notice was sent to Petitioner informing her that her CDC benefit would be closing effective February 9, 2025. Petitioner testified that she was confused because she submitted the redetermination paperwork prior to the deadline and one of the notices told her she was eligible. Petitioner believed that her redetermination paperwork had been processed, and she was approved.

None of the notices told Petitioner that she was approved for CDC after February ■ 2025. Petitioner should have realized that she needed to take some action for her CDC benefit to continue beyond February 8, 2025. The closure notices clearly informed Petitioner that her CDC would be closing because she failed to submit redetermination paperwork. Petitioner was given adequate notice regarding why her case would be closing and she was given opportunities to maintain her eligibility and she failed to do so. The Department closed for failing to submit redetermination paperwork was proper and correct and consistent with Department policy. BAM 130

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 Petitioner's CDC case for failing to submit redetermination paperwork.

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. 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
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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MDHHS-
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Via First Class Mail:

Petitioner

