

**Date Mailed:** February 20, 2026

**Docket No.:** 25-020690

**Case No.:** [REDACTED]

**Petitioner:** [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 February 11, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Amber Gibson, Hearing Facilitator (HF).

During the hearing proceeding, the Department's hearing summary packet was admitted as Exhibit A, pp. 1-9 and Petitioner's additional document was admitted as Exhibit 1, p. 1.

Petitioner filed hearing requests on May 15, 2025 (MOAHR Docket No. 25-020690 and August 12, 2025 (MOAHR Docket No. 25-028505). Petitioner alleges that numerous actions were taken on her household's Medical Assistance (MA) and Food Assistance Program (FAP) benefit cases since November 2024 and she was not given written notices of the eligibility determinations. The HF acknowledged that system errors occurred and notices were not issued. Petitioner's request for separate hearings was previously granted. Accordingly, this hearing will address any MA or FAP case actions from November 2024 through May 2025, for which no written notice of the eligibility determination(s) was issued, any MA for FAP case actions for which written notice of the eligibility determination(s) was issued within the 90 days prior to the May 15, 2025 hearing request, and the FAP benefit amount for the month the hearing request was filed, May 2025.

### **ISSUE**

Did the Department properly determine Petitioner's household's eligibility for Medical Assistance (MA) and Food Assistance Program (FAP) benefits?

### **FINDINGS OF FACT**

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. The Department has approved full coverage MA for Petitioner and her daughter as of November 2024 and ongoing. (HF Testimony).

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2. Petitioner was approved for FAP benefits for a group size of two in the amount of \$536.00 for the month of November 2024. (HF Testimony)
  3. A case comment states that a written case action notice was issued on November 27, 2024. (HF Testimony)
  4. On or about April 29, 2025, Petitioner submitted a Semi-Annual Contact Report for the FAP case and reported her daughter was in the home. Petitioner reported they purchased and prepared food separately due to “dietary reasons as explained prior” and it was noted that she just finished this semester of college. (Exhibit A, pp. 4-6)
  5. On May 22, 2025, a Verification Checklist was issued to Petitioner requesting verifications with a due date of June 2, 2025. (Exhibit A, pp. 7-9)
  6. Petitioner was approved for FAP benefits for a group size of one in the amount of \$292.00 per month for December 2024 and ongoing. (Exhibit 1; HF Testimony)
  7. On May15, 2025, Petitioner filed a hearing request contesting MA and FAP benefits. (Exhibit A, p. 3)

### **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).

#### **MA**

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. The Department (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

In this case, the HF confirmed that the Department has approved full coverage MA for Petitioner and her daughter as of November 2024 and ongoing. (HF Testimony). Accordingly, there is no need to review any prior MA determinations that affected eligibility for November 2024 through May 2025 because Petitioner and her daughter now have full coverage MA for that period. The approval resolves any previously contested MA eligibility determinations for the period at issue.

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Petitioner raised issues regarding not being re-enrolled in the Medicaid Health Plan (MHP) when the MA eligibility was reinstated. However, the jurisdiction for this hearing is limited to the MA eligibility determination itself. The HF testified that she would reach out to others within the Department to see if the MHP enrollment issue can be resolved. Additionally, MOAHR is looking into whether the enrollment issue can be resolved or whether it could be addressed through a different hearing type.

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 determined Petitioner's household's eligibility for MA.

### **FAP**

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.

Petitioner was approved for FAP benefits for a group size of two in the amount of \$536.00 for the month of November 2024. (HF Testimony). Petitioner was approved for FAP benefits for a group size of one in the amount of \$292.00 per month for December 1, 2024 and ongoing. (Exhibit 1; HF Testimony).

A case comment states that a written case action notice was issued on November 27, 2024. The HF indicated that a copy of the November 27, 2024 notice could not be located in the electronic case record. (HF Testimony). Petitioner testified that this notice addressed FAP eligibility before the period at issue for this hearing. (Petitioner Testimony).

The maximum FAP allowance for a group size of one is \$292.00. RFT 260, October 1, 2024, p. 1. The determination to approve Petitioner for FAP benefits for a group size of one in the amount of \$292.00 per month for December 1, 2024 and ongoing does not resolve the contested FAP eligibility issue. Petitioner asserts that the FAP group size should have been two because her daughter should have been included in the FAP group. (Petitioner Testimony)

Unfortunately, the documentation presented for this hearing was not sufficient to review the FAP eligibility determination for the time period at issue for this case, November 2024 through May 2025. For example, the Department's exhibits did not include any evidence showing what Petitioner reported regarding who was living in household at that time, whether they purchased and prepared food separately, or any information that would be considered in determining whether Petitioner's daughter was an eligible student for FAP eligibility purposes. For example, on the April 29, 2025 Semi-Annual Contact Report, Respondent reported her daughter was in the home, but they purchase

and prepare food separately due to “dietary reasons as explained prior” and it was noted that she just finished this semester of college. (Exhibit A, p. 5). The May 22, 2025 Verification Checklist requested verifications addressing student status for Petitioner’s daughter as well as her income with a due date of June 2, 2025. (Exhibit A, pp. 7-9). However, this information would have been used to determine FAP eligibility after the time period at issue for this case, November 2024 through May 2025. If Petitioner had previously reported her daughter was in the home and attending college, it is unclear what information the Department relied upon to determine whether she was an eligible student for FAP eligibility purposes from November 2024 through May 2025.

Accordingly, the Department did not submit the documentation needed to proceed with an administrative hearing to be able to review the FAP eligibility determination for the time period at issue for this case, November 2024 through May 2025. Therefore, the Department’s determination must be reversed.

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 determined Petitioner’s household’s eligibility for FAP.

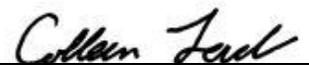
### **DECISION AND ORDER**

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 determined Petitioner’s household’s eligibility for MA but failed to satisfy its burden of showing that it acted in accordance with Department policy when it determined Petitioner’s household’s eligibility for FAP.

Accordingly, the Department’s decision is **AFFIRMED IN PART** with respect to MA and **REVERSED IN PART** with respect to FAP.

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. Redetermine Petitioner’s eligibility for FAP for the period of November 2024 through May 2025 in accordance with Department policy.



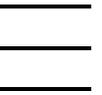
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**COLLEEN LACK**  
**ADMINISTRATIVE LAW JUDGE**

**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](http://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://irs.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:**

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**Via First Class Mail:**

**Petitioner**  
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