



Date Mailed: July 7, 2025

Docket No.: 25-021133

Case No.: [REDACTED]

Petitioner: [REDACTED]

[REDACTED] MI [REDACTED]

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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.

Date Mailed: July 7, 2025

Docket No.: 25-021133

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 June 25, 2025. Petitioner was represented by [REDACTED], Authorized Hearing Representative. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Hannah Czechowski, Hearing Coordinator (HC).

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-58.

ISSUE

Did the Department properly determine Petitioner's eligibility for the Food Assistance Program (FAP)?

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's FAP case was due for Redetermination in April 2025.
2. On March 21, 2025, Petitioner submitted a Redetermination form and verifications of: Chase Checking ending in [REDACTED]; a Quit Claim Deed; a February 14, 2025 pay check from [REDACTED]; and [REDACTED]. (Exhibit A, pp. 7-16)
3. On April 14, 2025, an interview was completed with Petitioner. In part, it was confirmed that Petitioner's husband is in a nursing home. (Exhibit A, pp. 17-23 and 57)
4. On April 15, 2025, the Department verified that Petitioner did receive a LIHEAP payment. (Exhibit A, p. 24)

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5. On April 15, 2025, a Verification Checklist was issued to Petitioner requesting verifications with a due date of April 25, 2025. The requested verifications were the last 30 days of check stubs from [REDACTED] and proof of the Retirement Survivors Disability Insurance (RSDI) Social Security income. A Verification of Employment form was included. (Exhibit A, pp. 25-30)
 6. On April 21, 2025, the Department received verification of the RSDI income from the Social Security Administration. (Exhibit A, p. 57)
 7. On April 22, 2025, the Verification of Employment form was submitted. (Exhibit A, pp. 31-33)
 8. On May 1, 2025, a Notice of Case Action was issued to Petitioner stating her FAP case would close effective May 1, 2025 based on a failure to return verifications. (Exhibit A, pp. 34-38)
 9. On May 12, 2025, Petitioner submitted verification of her loss of employment and earnings from [REDACTED]. (Exhibit A, pp. 39-44)
 10. On May 16, 2025, Petitioner verbally requested a hearing contesting the closure of her FAP case. (Exhibit A, pp. 3-5)
 11. On May 27, 2027, the Department reinstated Petitioner's FAP case and determined her ongoing eligibility. (Exhibit A, pp. 6 and 57; HC Testimony)
 12. On May 27, 2025, a Notice of Case Action was issued to Petitioner approving FAP benefits in the amount of \$23.00 per month effective May 1, 2025, based on the updated income and expenses. (Exhibit A, pp. 49-55)

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 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.

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When FAP benefits are approved, the group is eligible for a specific benefit period (in calendar months) with a begin and end date. BAM 115, p. 28.

Clients must cooperate with the local office in determining initial and ongoing eligibility. This includes completion of necessary forms. Bridges Administrative Manual (BAM) 105 (January 1, 2025), p. 8.

The Department must periodically re-determine or renew an individual's eligibility for active programs. The redetermination/renewal process includes thorough review of all eligibility factors. Redetermination, renewal, semi-annual and mid-certification forms are often used to re-determine eligibility of active programs. BAM 210 (February 1, 2025), p. 1.

In order to receive uninterrupted benefits (benefits available on his/her scheduled issuance date), the client must file the redetermination through MI Bridges or file either a MDHHS-1010, Redetermination and MDHHS-1010-FAP, MDHHS-1171, Assistance Application and MDHHS-1171-FAP supplement, or a signed MDHHS-1010-FAP, FAP 1010 supplemental filing form, by the fifteenth of the redetermination month. BAM 210, p. 16. Any FAP redetermination form not submitted timely (see above) has the same processing timeframe as an initial application (30 days from the date the redetermination was filed). BAM 210, p. 17.

Bridges generates a redetermination packet to the client on the fourth day of the month before the redetermination is due. If the fourth day occurs on a holiday or on a Sunday, then the packet is sent on the next business day. This allows time to process the redetermination before the end of the redetermination month. BAM 210, p. 20.

The group loses its right to uninterrupted FAP benefits if it fails to do any of the following: file the FAP redetermination by the timely filing date; participate in the scheduled interview; submit verifications timely, provided the requested submittal date is after the timely filing date. BAM 210, pp. 21-22.

For FAP, benefits stop at the end of the benefit period unless a redetermination is completed, and a new benefit period is certified. If the client does not begin the redetermination process, the benefit period is allowed to expire. BAM 210, p. 3.

If the redetermination packet is not logged in by the last working day of the redetermination month, Bridges automatically closes the EDG. A DHS-1605 is not generated. The redetermination process begins when the client files a MDHHS-1171, Assistance Application and MDHHS 1171-FAP, Supplement- Food Assistance Program;

MDHHS-1010, Redetermination and MDHHS-1010-FAP; MDHHS-1171, filing form. BAM 220, p. 14.

In this case, Petitioner's FAP case was due for Redetermination in April 2025.

On March 21, 2025, Petitioner submitted a Redetermination form and verifications of: Chase Checking ending in [REDACTED]; a Quit Claim Deed; a February 14, 2025 pay check from [REDACTED]; and [REDACTED]. (Exhibit A, pp. 7-16). On April 14, 2025, an interview was completed with Petitioner. In part, it was confirmed that Petitioner's husband is in a nursing home. (Exhibit A, pp. 17-23 and 57). On April 15, 2025, the Department verified that Petitioner did receive a LIHEAP payment. (Exhibit A, p. 24).

On April 15, 2025, a Verification Checklist was issued to Petitioner requesting verifications with a due date of April 25, 2025. The requested verifications were the last 30 days of check stubs from [REDACTED] and proof of the RSDI Social Security income. A Verification of Employment form was included. (Exhibit A, pp. 25-30). On April 21, 2025, the Department received verification of the RSDI income from the Social Security Administration. (Exhibit A, p. 57). On April 22, 2025, the Verification of Employment form was submitted. (Exhibit A, pp. 31-33).

On May 1, 2025, a Notice of Case Action was issued to Petitioner stating her FAP case would close effective May 1, 2025 based on a failure to return verifications. (Exhibit A, pp. 34-38). However, it appears that this denial was in error as the Department had received the requested information. The Verification of Employment form was returned and the Social Security Administration verified the RSDI income. The case comments indicate the Department was seeking additional more recent earnings documentation because the information provided only verified earnings through February 14, 2025. (Exhibit A, p. 57).

On May 12, 2025, Petitioner submitted verification of her loss of employment and earnings from [REDACTED]. (Exhibit A, pp. 39-44). This clarified that Petitioner is a substitute secretary and that the documentation submitted was her most recent earnings. (Exhibit A, p. 39).

On May 27, 2027, the Department reinstated Petitioner's FAP case and determined her ongoing eligibility. (Exhibit A, pp. 6 and 57; HC Testimony). On May 27, 2025, a Notice of Case Action was issued to Petitioner approving FAP benefits in the amount of \$23.00 per month effective May 1, 2025, based on the updated income and expenses. (Exhibit A, pp. 49-55). However, the HC acknowledged that there had been an error regarding the income included in the FAP budget related to a spousal allocation. Additionally, the Department needed verification of reported medical expenses. (Exhibit A, p. 56; HC Testimony).

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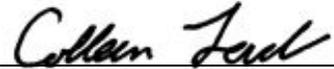
DECISION AND ORDER

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

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

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. If they have not already done so, redetermine Petitioner's eligibility for FAP as of May 1, 2025 in accordance with Department policy.



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

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- 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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