



Date Mailed: July 7, 2025

Docket No.: 25-021134

Case No.: [REDACTED]

Petitioner: [REDACTED]

[REDACTED]
MI [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.

Date Mailed: July 7, 2025

Docket No.: 25-021134

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 July 2, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Lori Turner, Eligibility Specialist.

ISSUE

Did MDHHS properly calculate Petitioner's household budget to determine his monthly 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. Petitioner was an ongoing recipient of FAP benefits for a group size of one. Petitioner's household does not contain a Senior, Disabled, or Disabled Veteran (S/D/V) group member.
2. On April 8, 2025, Petitioner submitted a redetermination of FAP benefits form to MDHHS, reporting that he works for [REDACTED] (Employer) (Exhibit A, pp. 21-25).
3. On May 12, 2025, MDHHS issued a Notice of Case Action to Petitioner, informing him that he was approved to receive \$23.00 in monthly FAP benefits, for a group size of one, effective June 1, 2025 ongoing (Exhibit A, pp. 14-20).
4. On May 29, 2025, MDHHS received a hearing request from Petitioner disputing the monthly amount of FAP benefits that he was approved to receive (Exhibit A, pp. 3-11).

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 [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. MDHHS administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011. MDHHS policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Upon receipt of Petitioner's redetermination of FAP benefits, MDHHS updated Petitioner's FAP household budget. MDHHS approved Petitioner to receive \$23.00 in monthly FAP benefits, effective June 1, 2025 ongoing. After submitting the request for hearing, Petitioner provided MDHHS with further income information. MDHHS then determined Petitioner to be eligible to receive \$129.00 in monthly FAP benefits, effective July 1, 2025. This decision will review MDHHS' determination of Petitioner's June 2025 FAP benefit amount.

FAP benefit amounts are determined by a client's net income. BEM 556 outlines the factors and calculations required to determine a client's net income. FAP net income factors group size, countable monthly income, and relevant monthly expenses. MDHHS presented budget documentation listing the calculations used to determine Petitioner's FAP eligibility (see Exhibit A, pp. 26-28). During the hearing, all relevant budget factors were discussed with Petitioner.

MDHHS determines a client's eligibility for program benefits based on the client's actual income and/or prospective income. In prospecting income, MDHHS is required to use income from the past 30 days if it appears to accurately reflect what is expected to be received in the benefit month, discarding any pay if it is unusual and does not reflect the normal, expected pay amounts. BEM 505 (October 2023) pp. 5-6. In this case, MDHHS testified that they accessed the Work Number database to determine Petitioner's monthly income amount (see Exhibit A, pp. 30-31). The Work Number is a tool provided by Equifax Verification Services that the Department uses to verify clients' employment information through wage matches. MDHHS used Petitioner's pay from April 11, 2025 for \$[REDACTED] and April 25, 2025 for \$[REDACTED]. Petitioner confirmed that this pay information was accurate but explained that he was working extra hours in the month of

April. Petitioner did not provide updated income information until June 29, 2025, hence his FAP benefit amount increased effective July 1, 2025. A standard monthly amount must be determined for each income source used in the budget, which is determined by multiplying average biweekly pay by 2.15 and average weekly pay by 4.3. BEM 505, pp. 8-9. Petitioner is paid biweekly. MDHHS properly determined Petitioner's standard monthly amount to be \$ [REDACTED] in monthly gross earned income. Petitioner testified that he has no other household income. Therefore, MDHHS relied upon \$ [REDACTED] in total household income.

MDHHS will reduce the gross countable earned income by 20 percent, known as the earned income deduction. BEM 550 (October 2024), p. 1. Petitioner is entitled to an earned income deduction of \$293.00.

MDHHS uses certain expenses to determine net income for FAP eligibility and benefit levels. BEM 554 (October 2024) p. 1. For groups without a S/D/V member, such as Petitioner's, MDHHS considers the following expenses: a standard deduction, childcare, court-ordered child support and arrearages paid to non-household members, and a capped excess shelter expense. BEM 554, p. 1.

Petitioner's FAP benefit group size of one justifies a standard deduction of \$204.00. RFT 255 (October 2024), p. 1. MDHHS properly included the standard deduction in Petitioner's household budget. Petitioner testified that the household does not pay any child support or dependent care expenses. Thus, MDHHS properly counted the group's non-shelter expenses to be \$204.00.

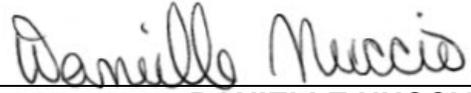
MDHHS calculated Petitioner's housing expenses to be \$250.00 monthly. Petitioner confirmed that he does not pay for any household utilities or internet service. MDHHS only credits FAP benefit groups with an "excess shelter" expense. The excess shelter expense is calculated by subtracting half of the adjusted gross income from the total shelter obligation. BEM 554, p. 1; RFT 255, p. 1. This results in a negative number. Therefore, the excess shelter deduction is \$0.00.

The FAP benefit group's net income is determined by subtracting the excess shelter expense (\$0.00) from the group's adjusted gross income (\$ [REDACTED]); doing so results in \$ [REDACTED] in net income for Petitioner's group. Based upon Petitioner's group size and net income, he is eligible to receive \$23.00 in monthly FAP benefits for a one-person FAP group. RFT 260 (October 2024) p. 14. Therefore, MDHHS properly determined Petitioner's monthly FAP benefit amount to be \$23.00 for June 2025.

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 MDHHS acted in accordance with Department policy when it determined Petitioner to be eligible for \$23.00 in monthly FAP benefits.

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



DANIELLE NUCCIO
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.

25-021134



Via Electronic Mail:

Respondent

WAYNE-GREENFIELD/JOY-DHHS
8655 GREENFIELD RD
DETROIT, MI 48228

MDHHS-WAYNE-17-HEARINGS@MICHIGAN.GOV

Interested Parties

B. CABANAW
M. HOLDEN
BSC4

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED]
MI [REDACTED]