



Date Mailed: December 3, 2025

Docket No.: 25-023555

Case No.: [REDACTED]

Petitioner: [REDACTED]

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

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Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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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 November 5, 2025. Petitioner appeared for the hearing and represented herself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Danielle Moton, Eligibility Specialist.

ISSUE

Did the Department properly process Petitioner's Food Assistance Program (FAP), Medical Assistance (MA), and State Disability Assistance (SDA) 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. Petitioner was previously an ongoing recipient of FAP benefits.
2. On or around [REDACTED] 2024, Petitioner submitted an application for cash assistance under the SDA program.
3. On or around September 7, 2024, the Department sent Petitioner a Notice of Case Action advising her that effective October 1, 2024, Petitioner's FAP case would be closed. (Exhibit A, pp. 16-19)
4. On or around October 8, 2024, the Department sent Petitioner a Notice of Case Action advising her that she was approved for SDA benefits. (Exhibit A, pp. 20-24)
5. Petitioner is an ongoing recipient of MA benefits. In connection with a redetermination, Petitioner's eligibility to receive MA benefits was reviewed.
6. On or around May 30, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice advising her that effective June 1, 2025, she was ineligible for MA benefits. (Exhibit A, pp. 28-36)

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7. On or around June 12, 2025, Petitioner requested a hearing disputing the Department's actions with respect to the FAP, MA, and Family Independence Program (FIP). Petitioner confirmed that she checked the FIP box in error and that her dispute was regarding the SDA program.
 8. The Department determined that Petitioner's SDA application had been approved in error, as her medical documentation had not been sent to the Disability Determination Service (DDS) prior to the approval. Petitioner continued to receive SDA benefits until August 31, 2025.
 9. On or around August 1, 2025, the Department sent Petitioner a Notice of Case Action advising that her SDA case would be closed effective September 1, 2025, because her income exceeded the income limit.
 10. At the hearing, Petitioner confirmed that the MA case closure raised by Petitioner in her hearing request was resolved, as her case has been reinstated and she was approved for MA benefits. Petitioner agreed that the issue had been resolved and a hearing was no longer necessary concerning the MA program. Petitioner did not identify any additional negative action taken by the Department with respect to the MA program and withdrew the hearing request. Thus, the hearing request as it relates to the MA program will be DISMISSED.

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).

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.

Regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in Mich Admin Code, R 792.10101 to R 792.10137 and R 792.11001 to R 792.11020. Rule 792.11002(1) provides as follows:

An opportunity for a hearing shall be granted to an applicant who requests a hearing because his or her claim for assistance is denied or is not acted upon with reasonable promptness, has received notice of a suspension or

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reduction in benefits, or exclusion from a service program, or has experienced a failure of the agency to take into account the recipient's choice of service.

A client's request for hearing must be in writing and signed by an adult member of the eligible group, or authorized hearing representative (AHR). Department of Health and Human Services Bridges Administrative Manual (BAM) 600 (June 2024), pp. 1-2. Moreover, BAM 600, pp. 6-7 provides that a request for hearing must be received in the Department local office within 90 days of the date of the written notice of case action. The Michigan Office of Administrative Hearings and Rules (MOAHR) may grant a hearing about a denial of an application and/or supplemental payments; reduction in the amount of program benefits or service; suspension or termination of program benefits or service; restrictions under which benefits or services are provided or delay of any action beyond the standards of promptness. BAM 600, pp. 4-6.

In this case, Petitioner requested a hearing on June 12, 2025, disputing the Department's actions with respect to the FAP. Petitioner asserted that she has not received FAP benefits since September 2024. It was established that on or around September 7, 2024, the Department sent Petitioner a Notice of Case Action advising her that effective October 1, 2024, Petitioner's FAP case would be closed. (Exhibit A, pp. 16-19). Petitioner confirmed that she did not submit a new application for FAP benefits in the 90 days prior to the request for hearing. Upon review, the September 7, 2024, Notice of Case Action advised Petitioner that the Department must receive her request for appeal within 90 days of the mailing date of the notice, on or before December 6, 2024. Petitioner did not identify any additional negative action taken by the Department prior to her request for hearing.

Although there was some testimony that Petitioner reapplied for FAP benefits on or around September 22, 2025, and the Department issued a notice denying the application on October 3, 2025, this is considered to be a subsequent negative action that the undersigned does not have the authority to address. Petitioner was advised that she is entitled to request a hearing to dispute the denial of her September 22, 2025, FAP application or she is entitled to submit a new application for FAP benefits and her current eligibility will be determined.

Because Petitioner's June 12, 2025, hearing request was not timely filed within ninety days of the September 7, 2024, notice of the disputed action, it is therefore, **DISMISSED** for lack of jurisdiction.

SDA

The State Disability Assistance (SDA) program is established by the Social Welfare Act, MCL 400.1-.119b. The Department of Health and Human Services (formerly known as the Department of Human Services) administers the SDA program pursuant to 42 CFR 435, MCL 400.10 and Mich Admin Code, R 400.3151-.3180.

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In this case, Petitioner disputed the Department's actions with respect to the SDA program. The Department representative testified that Petitioner's █████ 2024, SDA application had been approved in error, as her medical documentation had not been sent to the Disability Determination Service (DDS) prior to the approval. Petitioner continued to receive SDA benefits until August 31, 2025. The Department representative testified that a Bridges Resource Center Help Desk ticket was requested in order to update Petitioner's case and a medical determination to be made. However, it was established that Petitioner began receiving Social Security benefits effective September 1, 2025. As a result, the Department testified that it sent Petitioner a Notice of Case Action, advising her that effective September 1, 2025, she was ineligible for SDA benefits because her countable income exceeded the income limit.

In order to be eligible for SDA benefits, an individual must be in financial need. BEM 515 (February 2024), p. 1; BEM 518 (July 2023), p. 1. Financial need exists when the individual's budgetable income is less than the applicable payment standard established by the Department and the client passes the issuance deficit test. The payment standard is the maximum benefit amount that can be received by the certified group. BEM 515, p 1; BEM 518, p 1. To perform the issuance deficit test, the Department subtracts budgetable income from the applicable payment standard for the benefit month. BEM 518, p 1. Financial need exists if there is at least a \$10 deficit after income is budgeted. If there is no deficit, the group is in eligible for assistance. BEM 518, pp.2-3. The SDA payment standard applicable to Petitioner is █████ as she is an individual living alone in an independent living arrangement. RFT 225 (December 2013), p. 1.

In this case, the Department representative failed to present an SDA Income Test budget but testified that according to the SOLQ, it determined Petitioner had total unearned income in the amount of █████ which consisted of █████ in RSDI or Social Security and █████ in monthly SSI, the gross amounts of which are countable as unearned income. BEM 503 (October 2022), pp.35 – 36. Petitioner confirmed that the amounts relied upon by the Department were correct. The Department properly determined that the payment standard applicable to Petitioner's living circumstances was █████ There was no evidence that Petitioner was eligible for any disregards or deductions to income. Because Petitioner's █████ monthly budgetable income exceeded the █████ SDA payment standard applicable to her case, the Department properly determined that Petitioner was ineligible for SDA due to excesss income.

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 SDA case.

Accordingly, the hearing request with respect to FAP and MA is **DISMISSED** and the Department's SDA decision is **AFFIRMED**.



ZAINAB A BAYDOUN
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://rs.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.

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