



Date Mailed: August 22, 2025

Docket No.: 25-023723

Case No.: [REDACTED]

Petitioner: [REDACTED]



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

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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 August 13, 2025. Petitioner appeared for the hearing and represented himself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Danielle Moton, Assistance Payments Worker. Peter Chona served as Arabic interpreter.

ISSUE

Did the Department properly deny Petitioner's application for 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. On or around [REDACTED] 2025, Petitioner submitted an application requesting FAP benefits. (Exhibit A, pp. 8-16)
2. On or around April 21, 2025, the Department sent Petitioner a Verification Checklist (VCL) instructing him to submit proof of his self-employment income and proof of school attendance for his daughter by May 1, 2025. (Exhibit A, pp. 17-19)
3. The Department asserted that Petitioner failed to submit proof of his self-employment income and student attendance for his daughter by the May 1, 2025, due date identified on the VCL. (Exhibit A, p.22)
4. On or around May 2, 2025, the Department sent Petitioner a Notice of Case Action advising Petitioner that his FAP application was denied due to a failure to verify requested information. (Exhibit A, pp. 23-27)
5. On or around May 27, 2025, Petitioner submitted proof of payment statements from Uber for the months of March 2025, April 2025, and May 2025. (Exhibit A, p. 22)
6. The Department asserted that because Petitioner did not submit proof of school attendance for his daughter, Petitioner still had not fully complied with the requests

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for verifications outlined in the VCL and thus, the Department did not apply the subsequent processing policy to Petitioner's application.

7. On or around June 18, 2025, Petitioner requested a hearing disputing the Department's actions with respect to the FAP. (Exhibit A, pp. 3-5)
8. On or around June 18, 2025, Petitioner submitted a transcript from his daughter's school as verification of student attendance. The document received by the Department was issued by the school on May 2, 2025. (Exhibit A, p. 22)
9. The Department asserted that the verification of student attendance was submitted too late, as the 60-day time period for completing the application process had expired and thus, the verifications could not be processed.

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.

In this case, Petitioner disputed the denial of his [REDACTED] 2025, FAP application.

Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level. BAM 130 (May 2024), p.1. To request verification of information, the Department sends a verification checklist (VCL) which tells the client what verification is required, how to obtain it, and the due date. BAM 130, p. 3. Although the client must obtain the required verification, the Department must assist if a client needs and requests help. If neither the client nor the Department can obtain the verification despite a reasonable effort, the Department is to use the best available information; and if no evidence is available, the Department is to use its best judgment. BAM 130, pp. 3-4. For FAP cases, clients are given 10 calendar days to provide the verifications requested by the Department. Verifications are considered to be timely if received by the date they are due. The Department sends a negative action notice when the client indicates a 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, pp. 7-8.

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BAM 115 provides guidance for the procedure the Department is to follow when a client completes the FAP application process after denial but within 60 days after the application date, the Department is to reregister the application using the original application date and if eligible, determine whether to prorate benefits according to the initial benefits policy, provided that the application process was completed on or before the 30th day. If the application process is completed between the 31st and 60th day, the Department is to reregister the application using the date the client completed the process and if eligible, prorate benefits from the date the client complied. BAM 115 (October 2024), pp.24-27.

At the hearing, the Department representative testified that in connection with the [REDACTED] 2025, FAP application, the Department issued the April 21, 2025, VCL instructing Petitioner to submit requested verifications, including proof of self-employment income and student attendance by the May 1, 2025, due date. The Department representative testified that because Petitioner failed to submit the requested verifications by the due date, and because there was no evidence that Petitioner requested assistance from the Department in obtaining the verifications, it issued the May 2, 2025, Notice of Case Action, denying Petitioner's FAP application.

Petitioner asserted that he timely submitted all of the requested verifications to the Department. Petitioner testified that he submitted the documents in person at the local office before the due date identified on the VCL and that he possibly submitted the documents on April 28, 2025, but could not remember the exact date. The Department confirmed that on May 27, 2025, Petitioner submitted payment statements from Uber for the months of March 2025, April 2025, and May 2025. The Department asserted that no self-employment verifications were submitted prior to May 27, 2025, and the verifications submitted on that date could not have been turned in earlier, on April 28, 2025, as they included income for the month of May 2025. Additionally, the Department confirmed that on June 18, 2025, it received proof of student attendance for Petitioner's daughter but asserted that because 60 days from the application date had passed, it was unable to reprocess Petitioner's FAP application, and he was required to reapply. Later in the hearing, Petitioner testified that he submitted the documents first on April 28, 2025, and again later, on May 27, 2025, and June 18, 2025. Petitioner did not identify what verifications were submitted on each date and provided no documentation in support of his testimony. Petitioner's testimony as to the documents submitted and the dates of submission was inconsistent and conflicting.

Upon review, notwithstanding Petitioner's testimony during the hearing, Petitioner failed to establish that he timely submitted the requested verifications to the Department. Therefore, the Department properly denied his [REDACTED] 2025, FAP application. Petitioner is advised that he is entitled to submit a new application for FAP benefits and his eligibility will be reviewed.

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 denied Petitioner's FAP application.

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



ZAINAB A. BAYDOUN
ADMINISTRATIVE LAW JUDGE

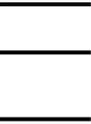
APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://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

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Via Electronic Mail:

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