



Date Mailed: August 28, 2025
Docket No.: 25-024380
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [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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Docket No.: 25-024380

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; 42 CFR 438.400 to 438.424; 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 by telephone on August 6, 2025. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Naffie Ceesay, Family Independence Specialist, and Territa Rivers-Jones, Family Independence Manager.

ISSUE

Did the Department properly determine Petitioner was subject to a six-month disqualification from Family Independence Program cash assistance (FIP) benefits for failure to participate in Partnership. Accountability. Training. Hope. (PATH)?

FINDINGS OF FACT

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

1. From November 1, 2022 to January 31, 2023, Petitioner was subject to a three-month closure of her FIP case due to non-compliance.
2. On April 1, 2025, the Department received a decision from its Disability Determination Service (DDS) that denied Petitioner's request for a FIP Employment and Training (E&T) deferral, and found her ready to work with limitations. (Exhibit A, p. 6, Serial No. 414; pp. 24 – 26).
3. On April 24, 2025, the Department sent Petitioner a PATH Appointment Notice that informed her that she was required to attend a PATH appointment on May 5, 2025, at 9:00 am, and if she was unable to attend the appointment, to call the Department prior to the appointment. (Exhibit B, pp. 1 – 2).
4. On May 13, 2025, the Department sent Petitioner a Notice of Non-Compliance that informed her that she had failed to participate in required FIP activities and that a meeting was scheduled for May 20, 2025, at 9:00 am, to give her the opportunity to explain her reasons for non-compliance; and that she must verify her "good cause before or during [the] triage appointment." The notice informed Petitioner

that this was the second time she had been non-compliant and that her FIP case would close for a minimum of six months unless good cause was established during the scheduled meeting. (Exhibit A, pp. 19 – 21).

5. On May 20, 2025, Petitioner attended the non-compliance appointment, and the Department determined Petitioner had not established good cause for failing to return to PATH as instructed. (Exhibit A, p. 6, Serial No. 414).
6. On ██████ 2025, the Department received a completed application for FIP benefits from Petitioner. (Exhibit A, pp. 11 – 18).
7. On June 5, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied Petitioner FIP benefits indefinitely for failure to participate in required FIP activities. (Exhibit B, pp. 3 – 6).
8. On June 16, 2025, the Department sent Petitioner a corrected NOCA that denied Petitioner FIP benefits for failure to participate in required FIP activities for a second time, and informed her that she was ineligible FIP benefits for the period of June 1, 2025 to November 30, 2025. (Exhibit A, pp. 22 – 23).
9. On June 26, 2025, the Department received a request for hearing from Petitioner, disputing the denial and/or closure of her FIP case. (Exhibit A, pp. 3 – 5).

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 Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and 42 USC 601 to 679c. The Department (formerly known as the Department of Human Services) administers FIP pursuant to 45 CFR 233-260, MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3101-.3131.

Petitioner requested a hearing to dispute the Department's denial of her application for FIP benefits and closure of her FIP case. At the hearing, Petitioner clarified that her dispute was with the Department's determination that she was subject to a six-month disqualification penalty. The Department imposed a six-month non-compliance disqualification penalty for the period of June 1, 2025 to November 30, 2025, due to Petitioner's failure to establish good cause for failure to participate in PATH program requirements.

The FIP program is a cash assistance program designed to help individuals and families become self-sufficient and is available to eligibility determination groups (EDG) who meet all of the non-financial and financial requirements for FIP. BEM 209 (January 2022), pp. 1 – 2. Pursuant to federal and state laws, one of the non-financial eligibility requirements for FIP requires that all work eligible individuals (WEI) and non-work eligible individuals (non-WEI) in the FIP group to participate in PATH employment and/or self-sufficiency related activities unless they are granted a temporary deferral. BEM 230A (October 2022), p. 1; BEM 233A (October 2022), p. 1; BEM 229 (January 2021), p. 1.

Unless the Department grants a temporary deferral from PATH engagement, a FIP client who fails or refuses, without good cause, to a) appear and participate with PATH, b) appear for a scheduled appointment or meeting related to assigned activities, or c) participate in required activity, among other things, is non-compliant and subject to denial of FIP benefits and disqualification penalties. BEM 230A, pp. 1, 18; BEM 233A, pp. 1 – 2; BEM 229, p. 6. A client who has been determined by DDS to be work ready with limitations is required to participate in PATH as defined by DDS or engage in activities monitored by the Department; and if that client becomes noncompliant with PATH or other assigned activities, they are also subject to denial of FIP benefits and disqualification penalties. BEM 230A, pp. 13 – 15.

The disqualification penalties for non-compliance with FIP requirements are FIP case closure for a minimum of a) three months for the first occurrence, b) six months for the second occurrence, and c) a lifetime sanction for the third or later occurrence. BEM 233A, p. 8.

When a PATH client is non-compliant and placed into triage, the Department:

- a) Closes the client's FIP case,
- b) Imposes a non-compliance penalty, and
- c) Schedules a triage appointment to give the client the opportunity to show good cause for failing to participate in required activities.

BEM 233A, pp. 1, 8 – 12.

Good cause is defined as being a valid reason for noncompliance with employment and/or self-sufficiency related activities that are based on factors that are beyond the control of the noncompliant person. BEM 233A, p. 4. Good cause must be established by the client at or before the triage appointment, with:

- a) Verification that the client is physically or mentally unfit for the job or activity, as shown by medical evidence or other reliable information, among other specific circumstances, or

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- b) Credible information that an unplanned event or factor, such as domestic violence, hospitalization, homelessness, or a similar circumstance, prevented or significantly interfered with employment and/or self-sufficiency-related activities.
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BEM 233A, pp. 6 – 7. If good cause is established during the triage appointment, the client's FIP benefits are reinstated and the client is sent back to PATH; if good cause is not established, the client's FIP case remains closed and the non-compliance penalty continues. BEM 233A, pp. 11 – 14.

Here, Petitioner applied for FIP benefits and a medical deferral on or about ██████████ 2024. (Exhibit A, p. 25). After review of Petitioner's information, the DDS denied her requested deferral and determined she was ready to work with limitations. The Department received the DDS deferral decision in Petitioner's case on April 1, 2025, and sent her a PATH Appointment Notice on April 24, 2025, that informed Petitioner of her responsibility to attend an appointment for PATH on May 5, 2025.

There was no dispute that Petitioner missed her PATH appointment; and the Department imposed a non-compliance penalty and sent her notice of a meeting scheduled for May 20, 2025, to give her the opportunity to establish good cause for failing to return to PATH as scheduled. The evidence established that the notice informed Petitioner that she must verify her good cause before or during the triage appointment.

There was also no dispute that Petitioner attended the triage meeting on May 20, 2025. Although the Department testified that Petitioner explained that she did not attend the PATH appointment on May 5, 2025, because she did not feel well, Petitioner's testimony during the hearing was inconsistent with the Department's records regarding Petitioner's statements during the triage meeting.

Petitioner testified both that she didn't know that she was scheduled to return to PATH on May 5, 2025, and that she believed she did not have to return to PATH until June 2025. However, there was no evidence that the April 24, 2025 notice, which was addressed to Petitioner at her confirmed address, was not delivered to Petitioner. Petitioner also testified that she had submitted medical forms and documents to the Department sometime in late May to be excused from FIP program requirements and communicated with the Department in June regarding her medical issues. Although Petitioner may have submitted such medical forms or documents, and communicated with the Department in June, there was no clear evidence presented during the hearing to establish that she had, or verified, good cause on or before May 20, 2025, for failing to return to PATH on May 5, 2025.

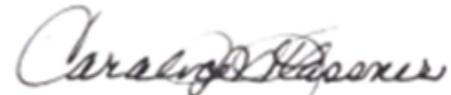
Thus, Petitioner was obligated to participate in required PATH activities and did not establish good cause for failing to do so. The Department credibly testified that Petitioner had one prior non-compliance penalty that began November 1, 2022.

Therefore, based on the totality of the evidence and testimony, the Department properly closed Petitioner's FIP case due to non-compliance with required activities and imposed a six-month sanction for a second occasion of non-compliance with FIP requirements.

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 FIP case for failure to comply with PATH program requirements and imposed a six-month disqualification penalty for Petitioner's second non-compliance with FIP requirements.

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



**CARALYCE M. LASSNER
ADMINISTRATIVE LAW JUDGE**

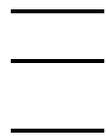
APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative 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.

25-024380



Via Electronic Mail:

Respondent

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