



Date Mailed: August 8, 2025

Docket No.: 25-024543

Case No.: [REDACTED]

Petitioner: [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.

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Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On June 18, 2025, Petitioner [REDACTED] requested a hearing to dispute a Child Development and Care (CDC) determination. As a result, a hearing was scheduled to be held on August 5, 2025. Public assistance hearings are held 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; 45 CFR 205.10; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared with her authorized hearing representative, [REDACTED] and her father, [REDACTED]. Respondent Michigan Department of Health and Human Services (Department) had Hearings Coordinator Rachel Meade appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 34-page packet of documents provided by the Department was admitted collectively as Exhibit A.

ISSUE

Did the Department properly deny Petitioner's application for CDC?

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 March [REDACTED] 2025, Petitioner submitted an application form to the Department to apply for CDC. In the application form, Petitioner stated that her preferred language was English. The application form stated, "if you do not speak English, have a hearing impairment, or have a disability, let us know how we can help you (an interpreter, sign language, TDD/TTY phone number we should call, assistance listening device, etc.) or bring your own support.
2. Petitioner did not notify the Department that she would need assistance communicating with the Department.
3. Petitioner did not designate anyone as her authorized representative.

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4. On March █ 2025, the Department mailed an appointment notice to Petitioner to inform her that she was scheduled for a telephone appointment on April █ 2025, between 10:45 a.m. and 12:45 p.m. (Eastern Time).
 5. On April █ 2025, the Department attempted to call Petitioner to complete the telephone appointment. An individual answered the phone, informed the Department that the individual was Petitioner's brother, and informed the Department that Petitioner is deaf. Petitioner's brother offered to complete the interview for Petitioner, but the Department informed him that it could not complete Petitioner's interview with him because he was not Petitioner's designated authorized representative. The Department informed Petitioner's brother that it would mail an authorized representative form to Petitioner, and it would reschedule the appointment. The Department rescheduled Petitioner's appointment for April █ 2025, at 10:45 a.m.
 6. On April █ 2025, the Department mailed an appointment notice to Petitioner to inform her that she was scheduled for a telephone appointment on April █ 2025, between 10:45 a.m. and 12:45 p.m. (Eastern Time).
 7. On April █ 2025, Petitioner provided the Department with a form that designated █ █ as her authorized representative.
 8. On April █ 2025, the Department called Petitioner's authorized representative to complete the telephone appointment. During the appointment, Petitioner's authorized representative requested an interpreter due to a language barrier. The Department unsuccessfully attempted to obtain an interpreter to complete the appointment.
 9. On April █ 2025, the Department mailed another authorized representative form to Petitioner.
 10. On April █ 2025, the Department mailed a notice of case action to Petitioner to notify her that she was ineligible for CDC because she did not complete an interview as required.
 11. On April █ 2025, Petitioner provided the Department with a form that designated █ █ as her authorized representative.

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 Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, 42 USC 601-619, 670-679c, and 1397-1397m-5; the Child Care and Development Block Grant of 1990, PL 101-508, 42 USC 9858 to 9858q; and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193. The program is implemented by 45 CFR 98.1-99.33. The Department administers the program pursuant to MCL 400.10 and provides services to adults and children pursuant to MCL 400.14(1) and Mich Admin Code, R 400.5001-.5020.

In this case, the Department denied Petitioner's application for CDC because Petitioner did not complete an interview as required. The issue here is whether the Department properly denied Petitioner's application for CDC.

When a client applies for CDC, the Department must approve or deny the client's application within 30 calendar days from the application date. BAM 115 (July 1, 2025), p. 16. The Department denied Petitioner's application on the 30th calendar day because the Department could not complete Petitioner's interview as required. The Department was required to interview Petitioner to explain program requirements and gather information. *Id.* at 16-18. The Department attempted to interview Petitioner by scheduling an initial telephone interview and then rescheduling the telephone interview after the initial one could not be completed. In order to provide time for the client to reschedule a missed interview, the Department cannot deny a CDC application for failing to participate in an interview until the 10th day after the scheduled interview. *Id.* at 18. The Department did not deny Petitioner's CDC application until after she rescheduled her initial telephone appointment. Under these circumstances, the Department properly denied Petitioner's application for CDC. Petitioner may reapply.

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 its policies and the applicable law when it denied Petitioner's application for CDC.

IT IS ORDERED that the Department's decision is **AFFIRMED**.



JEFFREY KEMM
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.

25-024543

Via Electronic Mail:

Respondent

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Via First Class Mail:

Petitioner

[REDACTED]
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