



Date Mailed: August 7, 2025

Docket No.: 25-025474

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।

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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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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 6, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Sunshine Simonson, Eligibility Specialist.

ISSUE

Did MDHHS properly close Petitioner's Food Assistance Program (FAP) case for failure to return requested verifications?

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.
2. On April 11, 2025, Petitioner was interviewed by MDHHS as part of the redetermination process. Petitioner reported that he has no income but receives irregular family donations to help with his daily needs and received a cell phone (Exhibit A, pp. 11-17).
3. On April 11, 2025, MDHHS issued Petitioner a Verification Checklist (VCL), informing him that he must submit verification of the donations that he receives, as reported in the interview, by April 21, 2025 (Exhibit A, pp. 18-20).
4. Petitioner did not submit the verification of cash donations to MDHHS. Petitioner submitted verification of his donated cell phone to MDHHS (Exhibit A, pp. 27-28).
5. On April 28, 2025, MDHHS issued a Notice of Case Action to Petitioner, informing him that his FAP case was closed for failure to return the requested verifications, effective May 1, 2025 (Exhibit A, pp. 22-26).
6. On [REDACTED] 2025, Petitioner submitted a new application for FAP benefits.

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7. On May 13, 2025, MDHHS issued a Notice of Case Action to Petitioner, informing him that he was approved to receive \$178.00 in FAP benefits for May 13, 2025 through May 31, 2025. Effective June 1, 2025, Petitioner is approved to receive the maximum amount of FAP benefits for his group size (Exhibit A, pp. 29-35).
 8. On June 1, 2025, Petitioner requested a hearing to dispute that he did not receive the full amount of FAP benefits in the month of May due to the closure of his FAP 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 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 his request for a hearing, Petitioner also stated that he disputes MDHHS' actions regarding his Medicaid (MA) case. Petitioner testified that he no longer had an issue regarding his MA case and wished to withdraw his hearing request. Therefore, the MA hearing request will be dismissed.

On April 11, 2025, Petitioner reported in his redetermination interview that he has no income but receives irregular family donations to help with his daily needs and received a cell phone. Petitioner did not respond to MDHHS when asked the amount of income that he receives. Inconsequential income means income that is unpredictable, irregular, and has no effect on continuing need. For example, occasional cash gifts. MDHHS does not consider inconsequential income if the amount received during a calendar quarter is \$30 or less. Amounts in excess of \$30 per quarter are considered. BEM 500 (April 2022), p. 9. A donation to an individual by family or friends is the individual's unearned income. MDHHS counts the gross amount received, if the individual making the donation and the recipient are not members of any common eligibility determination group. BEM 503 (January 2025), p. 11. Since MDHHS did not know the amount of income that Petitioner receives, they issued Petitioner a VCL, informing him that he must submit verification of the donations that he receives, as reported in the interview, by April 21, 2025. Verification means documentation or other evidence to establish the accuracy of the client's verbal or written statements. Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level, or if information regarding an eligibility factor is unclear, inconsistent, incomplete or contradictory. BAM 130 (May 2024), p. 1. MDHHS must allow the client 10 calendar days (or other time limit specified in policy) to provide the verification that is requested.

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BAM 130, p. 7. MDHHS properly requested verification of Petitioner's income from donations in order to determine his ongoing eligibility. Petitioner conceded that he did not submit the verification of cash donations to MDHHS. Petitioner argued that he does not receive financial help from anyone but acknowledges that this was not communicated to MDHHS. Since MDHHS was unable to verify Petitioner's income as reported during his interview, MDHHS was unable to determine Petitioner's ongoing eligibility for FAP benefits. Therefore, MDHHS acted in accordance with policy in closing Petitioner's FAP case on April 28, 2025, effective May 1, 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 the Department acted in accordance with Department policy when it closed Petitioner's FAP case.

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

Petitioner's hearing request for MA is **DISMISSED**.



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

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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.

Via Electronic Mail:

Respondent

WAYNE-GREENFIELD/JOY-DHHS

8655 GREENFIELD RD

DETROIT, MI 48228

MDHHS-WAYNE-17-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED]
[REDACTED] MI [REDACTED]

