



Date Mailed: August 22, 2025
Docket No.: 25-026111
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।

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.

Date Mailed: August 22, 2025

Docket No.: 25-026111

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 13, 2025. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Angela Ware, Eligibility Specialist.

ISSUE

Did the Department properly deny Petitioner's application for Food Assistance Program (FAP) benefits for failure to complete an interview?

Did the Department properly deny Petitioner's application for Medicaid (MA) for failure to return required verifications and documents?

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 January 24, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) that approved Petitioner's son, [REDACTED] (TO), for Healthy Michigan Plan (HMP) MA effective January 1, 2025. There were no other individuals approved or denied for MA on the HCCDN. (Exhibit A, pp. 24 – 25).
1. On February 27, 2025, the Department sent Petitioner a HCCDN that approved certain individuals for MA coverage as follows:
 - a. Petitioner for full coverage MA for December 2024,
 - a. Petitioner for Plan First Family Planning (PFFP) effective January 1, 2025 ongoing,
 - b. TO for HMP MA for December 2024,
 - c. Petitioner's son, [REDACTED] (AL), for HMP MA for December 2024,

-
- d. Petitioner's son, [REDACTED] (JE), for full cover MA for December 2024, and
 - e. JE for full coverage MiChild MA effective January 1, 2025 ongoing.
-

The HCCDN advised Petitioner that if she wished to request a hearing regarding the Department's actions, the Department must receive the request for hearing on or before May 28, 2025. (Exhibit A, pp. 27 – 30).

2. On [REDACTED] 2025, the Department received a completed application for FAP benefits from Petitioner.
3. On April 23, 2025, the Department sent Petitioner a notice that her FAP interview was scheduled for April 30, 2025, between 2:00 and 4:00 pm.
4. On April 30, 2025, the Department attempted to reach Petitioner for her interview at 5:08 pm.
5. On April 30, 2025, the Department sent Petitioner a Notice of Missed Appointment and instructed her to contact the Department to reschedule her interview on or before May 12, 2025.
6. On [REDACTED] 2025, the Department received a completed application for MA coverage from Petitioner for herself and her son, [REDACTED]. Petitioner reported that she was employed by [REDACTED] (Employer) an average of 40 hours per week and earned \$ [REDACTED] per hour. (Exhibit A, pp. 7 – 13).
7. On May 12, 2025, the Department sent Petitioner a Verification Checklist (VCL) that requested Petitioner provide proof of all earned and unearned income for the past 30 days to the Department by May 22, 2025, and that if she had any questions or problems obtaining the proofs to contact the Department. (Exhibit A, pp. 14 – 15).
8. On May 12, 2025, the Department also sent Petitioner a Health Care Coverage Supplemental Questionnaire (SQ) with a due date of May 22, 2025. The SQ instructed Petitioner to contact the Department if she did not understand the form or needed help to complete it. (Exhibit A, pp. 16 – 19).
9. On May 14, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied Petitioner FAP benefits for failure to complete the required interview. (Exhibit A, pp. 31 – 32).
10. On May 28, 2025, the Department sent Petitioner a HCCDN that denied Petitioner and AL MA coverage effective May 1, 2025, for failure to return the SQ and requested verifications. The HCCDN also indicated that Petitioner and AL were eligible for MA coverage under a different case number. (Exhibit A, pp. 20 – 22).

-
11. On July 8, 2025, the Department received a request for hearing from Petitioner, disputing the denial of her FAP benefits and MA coverage. (Exhibit A, pp. 3 – 5).
 12. Between July 22, 2025 and July 30, 2025, the Department received Petitioner's completed SQ and certain verifications of income.
-

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.

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. The Department (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

Petitioner requested a hearing to dispute the Department's denial of her FAP benefits and MA coverage.

As a preliminary matter, one portion of Petitioner's dispute was regarding the Department's approval of her for PFFP MA on February 27, 2025. The HCCDN sent to Petitioner on February 27, 2025, informed her that she had until May 28, 2025, to request a hearing regarding the Department's actions as identified on that HCCDN. A client's request for hearing must be received by the Department within 90 days of the date of the written notice of case action, which includes a HCCDN. BAM 600 (June 2024), p. 6. The evidence established that the Department received Petitioner's request for hearing on July 8, 2025, which was more than 90 days after the February 27, 2025 HCCDN. Thus, Petitioner's hearing request concerning the Department's decision dated February 27, 2025, was untimely and is dismissed.

The hearing proceeded to address the Department's actions regarding Petitioner's [REDACTED] 2025, FAP application and [REDACTED] 2025, MA application only. The Department denied Petitioner FAP benefits for failure to complete the required

25-026111

interview; and denied her MA coverage for herself and AL for failure to return required verifications and the SQ by the due date.

FAP

To determine a client's FAP benefit eligibility at application, the Department must interview the client. BAM 115 (October 2024), pp. 17 – 22. In FAP cases, the interview must be held by the 20th day after the application date to allow the client at least ten days to provide verifications by the 30th day. BAM 115, p. 22. If the client misses the scheduled interview appointment, the Department is to send the client a Notice of Missed Appointment that advises the client that it is his or her responsibility to request another interview date; and if the client calls to reschedule, the interview is to be scheduled no later than the 30th day after application, if possible. BAM 115, p. 23.

In this case, the Department received Petitioner's application for FAP benefits on [REDACTED] 2025, and scheduled an interview for her for April 30, 2025, between 2:00 pm and 4:00 pm. The Department testified that it called Petitioner at 5:08 pm on April 30, 2025, and Petitioner did not answer. Petitioner testified that she was available and waiting for a call from the Department as scheduled; however, she is not allowed to have her telephone with her while she is working and was working when the Department called her later than it scheduled. Petitioner also testified that she called the Department regarding her scheduled interview and that she spoke to a representative of the Department to reschedule the interview, though she could not recall the rescheduled date. Although the Department testified that it had no record of Petitioner's attempt to reschedule, Petitioner's testimony was found to be credible.

Petitioner's actions established that she attempted to, and was able and willing to, complete the FAP interview. However, the Department did not attempt to reach Petitioner during the two hour window it scheduled for her interview, and there was no evidence it rescheduled Petitioner's FAP interview when requested. BAM 115, pp. 23, 34 – 35. Therefore, the Department did not establish that it acted in accordance with Department policy when it denied Petitioner's application for FAP benefits for failure to complete the required interview.

MA

The Department must generally verify earned income at application. BAM 130 (May 2024), p. 1; BEM 500 (April 2022), pp. 13 – 14); BEM 501 (January 2024), p. 10. The Department must verify unearned income at application unless the Department is determining ongoing eligibility due to a client's reported change in income. BEM 503 (January 2025), p. 44.

To request verifications, the Department must tell the client what verification is required, how to obtain it, and the due date. BAM 130, pp. 3 – 4. Verifications are considered timely if received by the date they are due; however, if the client cannot provide the verification despite a reasonable effort, the Department may extend the time limit up to two times if a request is made. BAM 130, pp. 7 – 8. If the client refuses to provide the requested verifications, or the deadline for providing the verifications has passed and the client has not made a reasonable effort to comply, the Department is to send a

HCCDN denying the requested assistance. BAM 130, pp. 8 – 9; BAM 220 (November 2023), p. 22.

In this case, the evidence established that Petitioner submitted an application for MA coverage for herself and AL on [REDACTED] 2025, and reported that she was employed by Employer. Although Petitioner testified that the last day she worked for Employer was May 5, 2025, because there was no information on her [REDACTED] 2025 application to indicate she was not working for Employer, the Department properly sent her a VCL the same day that requested verification of all earned and unearned income from the past 30 days be provided by May 22, 2025. Although there was no dispute that Petitioner did not provide the requested verifications by May 22, 2025, Petitioner testified that she required assistance from a community resource agency and that need caused the delay in providing the requested verifications. However, the VCL instructed Petitioner that if she had any questions or problems obtaining the proofs by the due date, to contact the Department, and there was no evidence that she did so.

Because it did not receive the requested verifications, the Department sent Petitioner a HCCDN on May 28, 2025, that denied her and AL for MA coverage effective May 1, 2025. Although the HCCDN indicated that Petitioner failed to return the SQ by the due date, it was unclear why the SQ was necessary when Petitioner's MA application was submitted online through MiBridges. BEM 115, p. 1. The HCCDN also indicated that Petitioner and AL were approved for MA coverage under a different case number; however, there was no evidence that the Department closed Petitioner or AL's MA case under the other case number. However, because Petitioner did not return the requested income verification by the due date, the Department properly sent her a HCCDN that denied her [REDACTED] 2025 application for MA coverage for herself and AL.

It is also noted that Petitioner testified that she has not been able to obtain medical services for TO or JE on at least one occasion each. However, there was no evidence that MA coverage has been cancelled for either TO or JE. To the extent that Petitioner was not already provided with the information, she is advised that she may also contact the Medicaid Beneficiary Helpline at 800-642-3195 for questions about MA covered services or billing problems.

DECISION AND ORDER

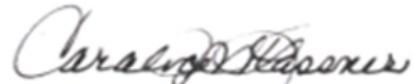
The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department acted in accordance with Department policy when it denied Petitioner and AL MA coverage for failure to return verification of income; but failed to satisfy its burden of showing that it acted in accordance with Department policy when it denied Petitioner's application for FAP benefits for failure to complete the required interview.

Accordingly, the Department's decision is **AFFIRMED IN PART** with respect to MA and **REVERSED IN PART** with respect to FAP.

25-026111

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Redetermine Petitioner's eligibility for FAP benefits effective April 14, 2025 ongoing, including rescheduling her interview;
1. If Petitioner is eligible for any supplemental FAP benefits, issue supplemental payments to Petitioner for any FAP benefits she was eligible to receive but did not, from April 14, 2025 ongoing; and
2. Notify Petitioner of its decision in writing.



CARALYCE M. LASSNER
ADMINISTRATIVE LAW JUDGE

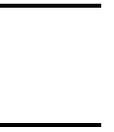
APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative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

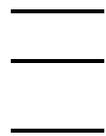
Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation 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

25-026111

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-SOUTHWEST-DHHS
2524 CLARK ST
DETROIT, MI 48209

MDHHS-WAYNE-41-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

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