



Date Mailed: August 15, 2025

Docket No.: 25-026239

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 July 14, 2025, Petitioner [REDACTED], requested a hearing to dispute a Food Assistance Program (FAP) determination. As a result, a hearing was scheduled to be held on August 12, 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 and represented himself. Respondent Michigan Department of Health and Human Services (Department) had Hearings Facilitator DeVona Gilbert appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 30-page packet of documents provided by the Department was admitted into evidence collectively as Exhibit A.

ISSUE

Did the Department properly determine Petitioner's FAP benefit amount?

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 is a FAP benefit recipient.
2. Petitioner has a group size of four, which consists of Petitioner and his three children.
3. Petitioner receives \$[REDACTED] per month from Social Security RSDI, and Petitioner's three children receive \$[REDACTED] per month each from Social Security RSDI.
4. Petitioner pays \$[REDACTED] per month for rent, and Petitioner is responsible for paying his heating/cooling utilities.
5. Petitioner pays an internet expense.

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6. In June 2025, the Department reviewed Petitioner's case and determined that the maximum FAP benefit that Petitioner was eligible for was \$414.00 per month for a group size of four. The Department determined Petitioner's FAP benefit amount using the following information:
- a. Group size of four.
 - b. \$[REDACTED] per month in unearned income.
 - c. \$[REDACTED] per month for a standard deduction.
 - d. \$[REDACTED] per month for an internet expense deduction.
 - e. \$[REDACTED] per month for housing costs.
 - f. \$[REDACTED] per month for a heat/utility standard.
7. On June [REDACTED] 2025, The Department mailed a notice of case action to Petitioner to notify him that his FAP benefit was going to decrease to \$414.00 per month, effective July 1, 2025.
8. Petitioner requested a hearing to dispute his FAP benefit amount.

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) 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 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, the Department determined that Petitioner was eligible for a maximum FAP benefit of \$414.00 per month, effective July 1, 2025. Petitioner is disputing his FAP benefit amount. Thus, the issue is whether the Department properly determined Petitioner's FAP benefit amount.

The Department determines a client's monthly FAP benefit amount by determining the client's group size and net household income and then looking that information up in its applicable Food Issuance Table. BEM 212 (June 1, 2025), BEM 213 (October 1, 2024), BEM 550 (April 1, 2025), BEM 554 (June 1, 2025), BEM 556 (October 1, 2024), RFT 255 (October 1, 2024), and RFT 260 (October 1, 2024).


Based on Petitioner's gross unearned income of \$[REDACTED] per month, Petitioner's housing cost of \$[REDACTED] per month, Petitioner's obligation to pay an internet expense, and Petitioner's obligation to pay his heating/cooling utilities, Petitioner's net income was \$[REDACTED] per month. Based on Petitioner's net income of \$[REDACTED] and Petitioner's group size of four, the maximum FAP benefit amount that Petitioner was eligible for was \$414.00 per month. Accordingly, the Department properly determined that Petitioner was eligible for a FAP benefit amount of \$414.00 per month, effective July 1, 2025.

Although Petitioner may have additional expenses, and Petitioner may not have a net income of \$[REDACTED] per month to live on, the Department properly used the maximum deductions and standards that it was permitted to use to calculate Petitioner's FAP benefit amount, and the Department properly determined the maximum FAP benefit amount that Petitioner was eligible for. Therefore, the Department's decision is affirmed.

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 determined Petitioner's FAP benefit amount.

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.

25-026239

Via Electronic Mail:

Respondent
SAGINAW COUNTY DHHS
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PO BOX 5070
SAGINAW, MI 48607
**MDHHS-SAGINAW-
HEARINGS@MICHIGAN.GOV**

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED]
[REDACTED]