



Date Mailed: September 9, 2025
Docket No.: 25-027134
Case No.: [REDACTED]
Petitioner: [REDACTED]

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[REDACTED]
[REDACTED] MI [REDACTED]

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এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

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Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

Date Mailed: September 9, 2025

Docket No.: 25-027134

Case No.: 115594596

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; 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 27, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Princess Ogundipe, Assistance Payment Supervisor.

ISSUE

Did the Department properly deny Petitioner's [REDACTED] 2025 Family Independence Program (FIP) application?

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 [REDACTED] 2025, Petitioner applied for FIP, alleging that she was disabled. (Exhibit A, pp. 16-22)
2. On June 3, 2025, MDHHS sent Petitioner a Medical Needs, DHS-54-A, form to be completed by a qualified medical source.
3. On June 25, 2025, MDHHS sent Petitioner a PATH Appointment Notice, scheduling a PATH orientation on July 2, 2025 and notifying her that if she did not attend PATH within 15 days of the notice her FIP application would be denied. (Exhibit A, pp. 35-36)
4. Petitioner did not attend the PATH orientation by July 11, 2025. (Exhibit A, p. 34)
5. On July 15, 2025, Petitioner submitted to MDHHS the Medical Needs, DHS-54-A, form completed by a nurse practitioner at the mental health program that she had recently joined due to Medicaid changes resulting in her no longer being eligible for services at the program she had been receiving long-term services.

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6. On July 15, 2025, MDHHS sent Petitioner a Notice of Case Action, notifying her that her FIP application was denied due to failing to attend the PATH program orientation. (Exhibit A, pp. 8-15)
 7. On July 16, 2025, MDHHS received Petitioner's hearing request, disputing the denial of her FIP application.

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.

At the hearing, MDHHS explained that it denied Petitioner's FIP application because she had not attended the Partnership. Accountability Training. Hope. (PATH) orientation and Petitioner had failed to establish that she had a valid deferral reason due to disability.

Unless temporarily deferred or engaged in activities that meet participation requirements, work eligible individuals are required as a condition of FIP eligibility to participate in PATH or other employment-related activity. BEM 230A (October 2022), p. 1; BEM 233A (October 2022), p. 1. MDHHS must temporarily defer from the work participation program a FIP applicant who has identified barriers that require further assessment or verification, such as clients with serious medical problems or disabilities, before a decision about a lengthier deferral is made. BEM 229 (April 2025), p. 2.

Here, at application and in her interview, Petitioner alleged that she had disabling mental health issues that made her unable to work. Policy provides that when an individual claims to be disabled or indicates an inability to participate in work or PATH for more than 90 days because of a mental or physical condition, MDHHS should defer the client from PATH participation in its database, Bridges, with the deferral reason "establishing incapacity" while it awaits verification that indicates the disability will last longer than 90 days. BEM 230A (October 2022), pp. 11-12. Clients who claim a disability must provide MDHHS with verification of the disability when requested. BEM 230A, p. 12. The verification must indicate that the disability will last longer than 90 calendar days and can be made through a note from the client's doctor, the DHS-49, the DHS-54A, or the DHS-54-E (which can be completed by a physician's assistant or a nurse practitioner). BEM 230A, p. 12. If the verification is not returned, a disability is not

25-027134

established. BEM 230A, p. 12. The client will be required to fully participate in PATH as a mandatory participant. BEM 230A, p. 12. MDHHS will be required to send the client a DHS-4785 PATH Appointment Notice. BEM 229, p. 3. However, clients should not be referred to orientation until it is certain that possible reasons for deferral have been assessed and considered. BEM 229, p. 2.

In this case, in response to Petitioner's disability claims, on June 3, 2025, MDHHS sent Petitioner a DHS-54-A, Medical Needs form, with a hand-written notation that it was "due July 9th to comply with PATH." On June 25, 2025, MDHHS sent Petitioner a PATH Appointment Notice notifying her that she was required to attend the PATH orientation on July 2, 2025 or within 15 days of the notice. According to the notes from Michigan Works!, the PATH program Petitioner was engaged with, Petitioner did not attend the PATH orientation by July 11, 2025, which it identified as the last day she could attend orientation. On July 15, 2025, MDHHS sent Petitioner a Notice of Case Action notifying her that her FIP application was denied due to her failure to attend the PATH program orientation. That same day, MDHHS received Petitioner's Medical Needs form signed by a nurse practitioner.

The Medical Needs form had no clearly identified due date other than a hand-written due date of July 9, 2025. Because policy provides that a deferral reason must be assessed and considered before a client is sent to PATH, MDHHS prematurely sent Petitioner the June 25, 2025 PATH Appointment Notice requiring her attendance at PATH on July 2, 2025, before it had allowed Petitioner the opportunity to complete and provide MDHHS with verification of her deferral by the due date of the Medical Needs form. Therefore, MDHHS did not act in accordance with policy when it denied Petitioner's FIP application before she was provided her complete time period to submit her Medical Needs form.

It is noted that Petitioner provided to MDHHS on July 15, 2025 a Medical Needs form completed by a nurse practitioner. The form was received the same day as the Notice of Case Action denying the application due to failure to attend PATH was sent. While MDHHS contended that the form, which indicated that Petitioner could do her prior work with limitations, did not support a deferral basis, MDHHS could not rely on the absence of a deferral basis for sending Petitioner to PATH *before* the Medical Needs form was due. Further, MDHHS did not establish that it had provided any reasonable accommodations in response to the Medical Needs form when it sent her to PATH. See BEM 230A, pp. 2-5.

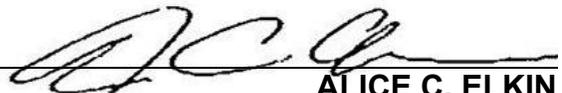
DECISION AND ORDER

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 did not act in accordance with Department policy when it denied Petitioner's FIP application due to her failure to attend the PATH orientation.

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

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. Reinstate Petitioner's [REDACTED] 2025 FIP application;
2. Determine whether Petitioner has established a deferral basis;
3. Complete processing the application in accordance with MDHHS policy; and
4. Notify Petitioner in writing of its decision.

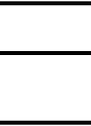

ALICE C. ELKIN
ADMINISTRATIVE LAW JUDGE

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.



Via

Electronic Mail:

Respondent

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Via

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Petitioner

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