



**Date Mailed:** January 16, 2026  
**Docket No.:** 25-027762  
**Case No.:** [REDACTED]  
**Petitioner:** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

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

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**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; 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 January 14, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Stephanie Laster, Department Analyst. Davon Wesley, PATH Lead Career Coach with Michigan Works, appeared as a witness for the Department.

### **ISSUE**

Did the Department properly find Petitioner to be in noncompliance with PATH due to disruptive and abusive behavior?

### **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 May [REDACTED] 2025, the Department received Petitioner's Family Independence Program (FIP) assistance application. Exhibit A, pp. 5-13.
2. On May [REDACTED] 2025, the Department sent Petitioner a PATH appointment notice for May [REDACTED] 2025. Exhibit A, pp. 14-15.
3. On May [REDACTED] 2025, Petitioner attended the PATH orientation. Exhibit A, p. 16.
4. On May [REDACTED] 2025, during PATH orientation, Petitioner was involved in an altercation with another PATH participant. Exhibit A, p. 17.
5. On June [REDACTED] 2025, Petitioner, Ms. [REDACTED] and Ms. [REDACTED] had a case conference meeting. Exhibit A, p. 17.
6. On June [REDACTED] 2025, Petitioner had a meeting with her career coach, [REDACTED] (Coach). During the meeting, Petitioner had an altercation with Ms. [REDACTED]. Petitioner used profanity, including "b\*tch", "sh\*t" and "f\*\*k", and threatened Ms. [REDACTED]. Exhibit A, pp. 17, 19-20.

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7. On June █ 2025, Michigan Works notified Petitioner in writing by email that a triage meeting was requested to address Petitioner's misconduct and threats and abusive language. Exhibit A, p. 18.
  8. On June █ 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that informed her that her FIP case would close effective August 1, 2025 due to a third instance of noncompliance. Exhibit A, pp. 22-26.
  9. On June █ 2025, the Department sent Petitioner a Notice of Noncompliance for June █ 2025 for disruptive/abusive behavior and provided a July █ 2025 triage meeting date. Exhibit A, pp. 27-29.
  10. On July █ 2025, Petitioner, Ms. █ and Ms. █ held a triage meeting where it was determined that there was no good cause for Petitioner's noncompliance with the PATH program. Exhibit A, p. 17.
  11. On July █ 2025, the Department received Petitioner's request for hearing disputing the closure of her FIP assistance. Exhibit A, pp. 3-5.
  12. Petitioner did not receive a copy of the hearing packet and elected to proceed with the hearing as scheduled.

### **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.

In this case, Petitioner requested a hearing to dispute the closure of her FIP case due to incurring a third instance of noncompliance without good cause. The Department explained that Petitioner used threatening and abusive language toward a Michigan Works staff member, Ms. Wesley, which resulted in Petitioner's third instance of noncompliance with PATH requirements.

The Department requires clients to participate in employment and self-sufficiency-related activities and to accept employment when offered. The focus is to assist clients in removing barriers so they can participate in activities which lead to self-sufficiency. However, there are consequences for a client who refuses to participate without good

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cause. The goal of the FIP penalty policy is to obtain client compliance with appropriate work and/or self-sufficiency related assignments and to ensure that barriers to such compliance have been identified and removed. The goal is to bring the client into compliance. BEM 233A, p. 1.

A Work Eligible Individual (WEI) and non-WEIs (except ineligible grantees, clients deferred for lack of child care, and disqualified non-citizens), see BEM 228, who fails, without good cause, to participate in employment or self-sufficiency-related activities, must be penalized. Depending on the case situation, penalties include the following: delay in eligibility at application; ineligibility (denial or termination of FIP with no minimum penalty period); case closure for a minimum of three months for the first episode of noncompliance, six months for the second episode of noncompliance and lifetime closure for the third episode of noncompliance. BEM 233A, p. 1.

As a condition of eligibility, all WEIs and non-WEIs must work or engage in employment and/or self-sufficiency-related activities. Noncompliance of applicants, recipients, or member adds means doing any of the following without good cause, including but not limited to *threatening, physically abusing or otherwise behaving disruptively* toward anyone conducting or participating in an employment and/or self-sufficiency-related activity. BEM 233A, pp. 2-3 (emphasis added).

The penalty for noncompliance without good cause is FIP case closure. Effective October 1, 2011, the following minimum penalties apply: for the individual's first occurrence of noncompliance, the Department closes the FIP for not less than three calendar months; for the individual's second occurrence of noncompliance, the Department closes the FIP for not less than six calendar months; and for the individual's third occurrence of noncompliance, the Department closes the FIP for a lifetime sanction. BEM 233A, p. 8.

Here, Petitioner was found to be in noncompliance for the use of threatening and abusive language toward Michigan Works staff under BEM 233A. The Department established that Petitioner and Ms. ██████ were both in attendance at the Michigan Works office on June ██████ 2025. While at the office, Petitioner met with Coach. At some point during the meeting with Coach, Ms. ██████ joined the meeting to explain the unavailability of fuel gas cards. Petitioner then used profane and abusive language towards Ms. ██████ including "b\*tch", "sh\*t", and "f\*\*k" and threatened to physically harm Ms. ██████. The Department held a triage on July ██████ 2025. Petitioner, Ms. ██████ and Ms. ██████ participated. No good cause was found for Petitioner's noncompliance with the prohibition on the use of threatening, abusive and disruptive language and behavior.

Petitioner acknowledged using profanity during the June ██████ 2025 meeting. Petitioner also testified that while in the presence of Michigan Works staff, she said that if Ms. ██████ were to strike Petitioner, Petitioner would "f\*\*k her up." Petitioner explained that Ms. ██████ got in her face, and she thought Ms. ██████ was going to hit her in the back of the head. Petitioner's demeanor was confrontational with the Department at the

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hearing. Ms. ██████ credibly testified that Petitioner used threatening, profane language toward her on June ██████ 2025. Further, Ms. ██████ indicated that during the altercation, she was at her desk and Petitioner was positioned diagonally from her, across a walkway and was more than arm's length away from Ms. ██████ Based on the totality of the testimony presented, Petitioner's assertion that she thought that Ms. ██████ would hit her thus justifying Petitioner's threat to "f\*\*k her up," is unconvincing and not credible. Additionally, regarding prior instances of noncompliance, the Department testified that Petitioner was found noncompliant with no good cause on January ██████ 2013; May ██████ 2015; June ██████ 2016; and March ██████ 2019. The Department properly determined that Petitioner was noncompliant with no good cause and subject to a lifetime sanction.

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 FIP case due to noncompliance without good cause.

**DECISION AND ORDER**

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



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**JULIA NORTON**  
**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](https://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://irs.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](mailto: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 First Class-Electronic Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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**Via Electronic Mail:**

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