



Date Mailed: October 6, 2025

Docket No.: 25-027881

Case No.: [REDACTED]

Petitioner: [REDACTED]



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

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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; 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 September 22, 2025. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Eileen Kott, Family Independence Manager, and Arnesia Woods, Eligibility Specialist.

ISSUE

Did the Department properly deny Petitioner Family Independence Program (FIP) cash assistance for failure to return 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. On [REDACTED] 2025, the Department received a completed application for FIP assistance and State Emergency Relief (SER) from Petitioner for herself and her [REDACTED]-year-old son, [REDACTED] (Son). Petitioner reported that she was not employed and had no income. The application asked if any children aged [REDACTED] were in school and Petitioner did not provide an answer. (Exhibit A, pp. 7 – 13).
1. On May 2, 2025, the Department interviewed Petitioner. Petitioner reported that she was working part-time at [REDACTED] (Employer), working 6 – 8 hours per pay period, and earned \$[REDACTED] per hour. She also reported that she received child support income and that Son was attending school full time and had completed 9th grade. (Exhibit A, pp. 58 – 64).
2. On May 2, 2025, the Department sent Petitioner:
 - a. A Verification Checklist (VCL) that requested Petitioner return verification of Son's school attendance, and Petitioner's last 30 days of income, to the Department by May 12, 2025 (Due Date 1), and
 - b. A Verification of Student Information (VSI), DHS-3380, to be completed and returned to the Department by Son's school.

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The VCL stated that Son's school attendance could be verified with the VSI, a home school curriculum, or a Nonpublic School Membership Report. The VCL also instructed Petitioner to contact the Department if she had any questions or problems obtaining the verifications. (Exhibit A, pp. 14 – 18).

3. Petitioner did not return the requested verifications by Due Date 1. (Exhibit A, p. 19).
4. On May 15, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied her FIP assistance effective May 16, 2025, for failure to return requested verifications. (Exhibit A, pp. 20 – 21).
5. On May 27, 2025, the Department received a second application for FIP assistance from Petitioner for herself and Son. Petitioner reported that she was not employed and had no income. The application asked if any children aged [REDACTED] were in school and Petitioner did not provide an answer. (Exhibit A, pp. 24 – 30).
6. On June 4, 2025, the Department interviewed Petitioner. Petitioner reported that she worked for Employer seasonally, had not started working for the season, and received child support income. She also reported that Son's school enrollment was unchanged. (Exhibit A, pp. 51 – 57).
7. On June 4, 2025, the Department sent Petitioner:
 - a. A VCL that requested Petitioner return verification of Son's school attendance, and Petitioner's last 30 days of income to the Department by June 16, 2025 (Due Date 2),
 - b. A VSI to be completed and returned to the Department by Son's school, and
 - c. A Verification of Employment for (VOE), to be completed by Petitioner's employer, and returned to the Department by Due Date 2,among other documents. The VCL stated that Son's school attendance could be verified with the VSI, a home school curriculum, or a Nonpublic School Membership Report. The VCL also instructed Petitioner to contact the Department if she had any questions or problems obtaining the verifications. (Exhibit A, pp. 31 – 42).
8. Petitioner did not return the requested verifications by Due Date 2. (Exhibit A, p. 19).
9. On June 18, 2025, the Department received one bi-weekly paystub from Petitioner, dated May 19, 2025, for the period of April 26, 2025 to May 9, 2025. The paystub reflected current gross earnings of \$ [REDACTED], and year to date gross earnings of \$ [REDACTED]. (Exhibit A, pp. 19, 43 – 44).

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10. On June 18, 2025, the Department also received a school progress report for Son from Petitioner, printed March 9, 2025. (Exhibit A, pp. 19, 45).
 11. On June 27, 2025, the Department sent Petitioner a NOCA that denied her FIP assistance effective June 16, 2025, for failure to return requested verifications. (Exhibit A, pp. 46 – 47).
 12. On July 22, 2025, the Department received a request for hearing from Petitioner, disputing the Department’s denial of her application for FIP assistance. (Exhibit A, pp. 4 – 6).

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.

Petitioner requested a hearing to dispute the Department’s denial of two applications for FIP assistance. The Department denied Petitioner’s applications for FIP assistance, received on April 25, 2025 and May 27, 2025, for failure to return required verifications by the due dates.

FIP is a cash assistance program designed to help individuals and families become self-sufficient. BEM 209 (January 2022), p. 1. Cash assistance is available to eligibility determination groups (EDG) who have a financial need, as determined by policy, and meet all of the non-financial and financial requirements for FIP. BEM 209, pp. 1 – 2; BEM 515 (February 2024), p. 1; BEM 518 (July 2023), pp. 1 – 4. When the Department receives an application for FIP assistance, it must determine the group’s eligibility, and verification is usually required. BAM 130 (May 2024), p. 1.

To request verification of information, the Department sends a VCL to the client, which tells the client what verification is required, how to obtain it, and the due date. BAM 130, p. 3. The client must obtain required the verification and is generally allowed 10 days to do so, but the local office must assist the client if they need and request help; and if neither the client nor the local office can obtain verification despite a reasonable effort, the Department is to use the best available information. BAM 130, pp. 3 – 4, 7. For FIP, if the client contacts the Department prior to the due date and requests an extension or assistance in obtaining verifications, the specialist may grant an extension.

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BAM 130, p. 7. However, if the client refuses to provide the verification, or when the verification due date has passed and the client has not made a reasonable effort to provide the requested documents or been granted an extension, the Department issues a NOCA denying the client's application or closing the client's case. BAM 130, pp. 7 – 8.

Because eligibility for FIP assistance is dependent on financial need, the Department must verify the group's income to determine if the group has a financial need as defined by policy. BEM 505 (October 2023), p. 14; BEM 515, p. 1; BEM 518, p. 2 – 6. Wages are considered earned income and are verified with paycheck stubs or earnings statements or a completed VOE, among other things. BEM 501 (January 2024), pp. 6 – 7.

In addition to financial eligibility requirements for FIP assistance, non-financial eligibility factors require that a) the group must include a dependent child, and b) the children in the group, ages 6 through 17, must attend school full-time. BEM 210 (July 2021), p. 1; BEM 245 (July 2023), p. 1. However, if a dependent child age 16 or 17, who is not a high school graduate, does not attend high school full-time the child is disqualified from, and not a member of, the FIP group. BEM 245, p. 1; BEM 210, p. 16.

For dependent children in the group who are age 16 or older, the client must provide verification of school enrollment and attendance at application, redetermination, and at each birthday beginning with age 16. BEM 245, p. 11. Clients may verify the school enrollment and attendance of a child age 16 or older with a VSI, telephone contact with the school, or other acceptable documentation that is on official business letterhead. BEM 245, pp. 11 – 12.

Here, there was no dispute that Petitioner submitted two applications for FIP assistance, one in April 2025, and one in May 2025. There was also no dispute that the Department interviewed her regarding each application, and sent Petitioner VCLs following each interview. The VCLs requested that Petitioner provide verification of her income for the last 30 days, and verification of Son's school attendance. During her May 2, 2025 interview, Petitioner reported to the Department that she worked for Employer 6 – 8 hours per pay period, and that Son attended school full-time. On June 4, 2025, when she was interviewed by the Department again, although Petitioner reported that there were no changes in Son's school attendance from May 2, 2025 to June 4, 2025, she reported that she had not yet started her position with Employer for the current season.

Petitioner testified during the hearing that she did not provide 30 days of paystubs by either due date because she did not have 30 days of income and did not return to work until June 18, 2025. However, the evidence established that the one paystub she provided after Due Date 2 was dated May 19, 2025, and Petitioner testified that she also received a paycheck on May 5, 2025. Petitioner did not clearly explain why she did not submit the May 5, 2025 paystub to the Department by Due Date 1, or submit both of her May paystubs by Due Date 2; and there was no evidence that Petitioner contacted

the Department prior to either due date to report that she had any questions or problems obtaining the verification of her income.

Petitioner also testified that she was unable to obtain verification of Son's school attendance because the school closed early for the year, on May 1, 2025, due to electrical issues, and that she advised the Department of that issue during her June interview. Although there was no evidence that the remainder of the school year was cancelled for Son's school, there was no dispute that Petitioner called the Department on June 13, 2025 and June 17, 2025, and reported that she was unable to obtain verification of Son's school attendance and requested the Department's assistance.

Although the Department had an obligation to assist Petitioner regarding verification of Son's school attendance when she requested that assistance on June 13, 2025, prior to Due Date 2, there was no evidence that Petitioner:

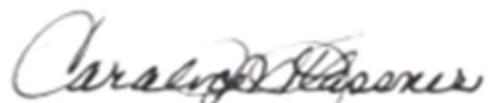
- a) Provided her last 30 days of income to the Department prior to Due Date 1,
- b) Provided verification of Son's school attendance prior to Due Date 1,
- c) Contacted the Department to request assistance or an extension for either verification prior to Due Date 1, or
- d) Provided her last 30 days of income or the VOE prior to Due Date 2 or contacted the Department to request an extension.

Therefore, based on Petitioner's failure to (i) provide either of the requested verifications to the Department or request an extension of time to do so, or (ii) request assistance to obtain the verifications, by Due Date 1, the Department properly denied Petitioner's April 25, 2025 application for FIP assistance. Additionally, because the evidence established that Petitioner did not provide any verification of her income until after Due Date 2, the Department properly denied Petitioner's May 27, 2025 application for FIP assistance.

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's April 25, 2025, and May 27, 2025, applications for FIP assistance for failure to return verifications.

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



CARALYCE M. LASSNER

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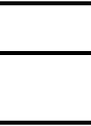
ADMINISTRATIVE LAW JUDGE

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.



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