



Date Mailed: September 12, 2025
Docket No.: 25-028089
Case No.: [REDACTED]
Petitioner: [REDACTED]

[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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Petitioner: [REDACTED]

HEARING DECISION

On July 28, 2025, Petitioner [REDACTED] requested a hearing to dispute public assistance benefits. As a result, a hearing was scheduled to be held on September 9, 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 herself. Respondent Michigan Department of Health and Human Services (Department) had Assistance Payments Supervisor Jennifer Richard appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 45-page packet of documents provided by the Department was admitted collectively as Exhibit A.

ISSUE

Did the Department properly determine Petitioner's eligibility for public assistance benefits?

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 receives a gross benefit of \$[REDACTED] per month from Social Security.
2. On May [REDACTED] 2025, Petitioner applied for public assistance benefits from the Department. Petitioner applied for Medicaid, Food Assistance Program (FAP) benefits, and cash assistance. Petitioner reported in her application that she had a checking account at Chase Bank and a savings account at Chase Bank. Petitioner reported in her application that she was the only member of her household.
3. The Department reviewed Petitioner's application, and the Department determined that it needed additional information to determine Petitioner's eligibility for Medicaid and FAP benefits, so the Department mailed a verification checklist to Petitioner to obtain the additional information.

4. On June █ 2025, the Department mailed a verification checklist to Petitioner to obtain additional information to determine Petitioner's eligibility for Medicaid and FAP benefits. The verification checklist instructed Petitioner to provide verification of her checking account and savings account to the Department by June 23, 2025.
5. On June █ 2025, the Department unsuccessfully attempted to complete a required interview to determine Petitioner's eligibility for FAP benefits. The Department then mailed a missed interview notice to Petitioner to instruct Petitioner to contact the Department to reschedule her interview.
6. The Department did not receive the requested verification from Petitioner by June 23, 2025.
7. The Department did not receive any communication from Petitioner to reschedule her interview.
8. The Department denied Petitioner's request for Medicaid and FAP benefits because Petitioner did not provide verification as instructed. Additionally, the Department denied Petitioner's request for FAP benefits because Petitioner did not complete the required interview.
9. The Department denied Petitioner's request for cash assistance because the Department determined that Petitioner's budgetable income exceeded the limit to be eligible for cash assistance.
10. Petitioner requested a hearing to dispute the Department's decision.

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).

MEDICAID

Medicaid is known as Medical Assistance (MA). The 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 administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

The Department denied Petitioner's request for Medicaid because Petitioner did not provide verification as instructed. Petitioner is disputing the Department's decision.

Thus, the issue is whether the Department properly denied Petitioner request for Medicaid.

Verification is usually required by the Department at the time of application/redetermination and for a reported change. BAM 130 (May 1, 2024), p. 1. The Department must tell a client what verification is required, how to obtain it, and the due date. *Id.* at 3. The Department must allow the client 10 calendar days to provide requested verification. *Id.* at 8. The client must obtain the verification, but the local office must assist if the client needs it and asks for help. *Id.* at 3. Verifications are only considered timely if they are received by the due date. *Id.* at 8. The Department must send a negative action notice when the client refuses to provide the verification or the client has failed to provide the verification by the due date. *Id.* at 8-9.

Based on the evidence presented, the Department properly instructed Petitioner to provide verification of her checking account and savings account, and Petitioner did not provide the verification as instructed. Since Petitioner did not provide the verification as instructed, the Department was required to send a negative action notice to Petitioner, which meant that the Department was required to notify Petitioner that her request for Medicaid was denied. Thus, the Department acted in accordance with BAM 130 when it denied Petitioner's request for Medicaid. Therefore, The Department's decision is affirmed.

Petitioner may reapply for Medicaid. If Petitioner reapplies for Medicaid and Petitioner is unable to obtain the information the Department requests, Petitioner may ask the Department to assist her in obtaining the information.

FOOD ASSISTANCE

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.

The Department denied Petitioner's request for FAP benefits because Petitioner did not provide verification as instructed. Additionally, the Department denied Petitioner's request for FAP benefits because Petitioner did not complete the required interview. Petitioner is disputing the Department's decision. Thus, the issue is whether the Department properly denied Petitioner request for FAP benefits.

Verification is usually required by the Department at the time of application/redetermination and for a reported change. BAM 130 at 1. The Department must tell the client what verification is required, how to obtain it, and the due date. *Id.* at 3. The Department must allow the client 10 calendar days to provide requested verification. *Id.* at 7. The client must obtain the verification, but the local office must assist if the client needs it and asks for help. *Id.* at 3. Verifications are only considered timely if they are received by the due date. *Id.* at 7. The Department must send a

negative action notice when the client refuses to provide the verification or the client has not made a reasonable effort to provide it by the due date. *Id.*

Based on the evidence presented, the Department properly instructed Petitioner to provide verification of her checking account and savings account, and Petitioner did not provide the verification as instructed. Petitioner did not present sufficient evidence to establish that she made a reasonable effort to provide it by the due date. Since Petitioner did not provide the verification as instructed, and since Petitioner did not establish that she made a reasonable effort to provide it by the due date, the Department was required to send a negative action notice to Petitioner, which meant that the Department was required to notify Petitioner that her request for FAP benefits was denied. Thus, the Department acted in accordance with BAM 130 when it denied Petitioner's request for FAP benefits. Therefore, the Department's decision is affirmed.

Additionally, the Department also denied Petitioner's request for FAP benefits because Petitioner did not participate in the required interview. When a client applies for FAP benefits, the client is required to participate in an interview. BAM 115 (October 1, 2024), pp. 16-19. When a client fails to participate in an interview and fails to reschedule the interview, the Department must deny the client's application. *Id.* at 23. Based on the evidence presented, Petitioner did not participate in an interview or reschedule the interview, so the Department properly denied Petitioner's request for FAP benefits.

Petitioner may reapply for FAP benefits. If Petitioner reapplies for FAP benefits and Petitioner is unable to obtain the information the Department requests, Petitioner may ask the Department to assist her in obtaining the information.

CASH ASSISTANCE

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 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.

The Department denied Petitioner's request for cash assistance because it determined that Petitioner's budgetable income exceeded the limit to be eligible for cash assistance. Petitioner is disputing the Department's decision. Thus, the issue is whether the Department properly denied Petitioner request for cash assistance.

Cash assistance is available to clients who are in financial need as defined by policy. Financial need means that a client's budgetable income is less than the payment standard established by the Department. BEM 515 (February 1, 2024), p. 1. In this case, Petitioner reported that she was the only member of her household, and Petitioner's income consisted of the \$ [REDACTED] per month that Petitioner received from

Social Security. The payment standard for Petitioner's household size was \$363.00 per month. RFT 210 (January 1, 2025), p. 1. Petitioner did not establish that she was eligible for any deductions from her income. Thus, Petitioner's budgetable income was \$ [REDACTED] per month because Petitioner was not eligible for any of the deductions listed in BEM 518. Petitioner's budgetable income exceeded the payment standard established by the Department, so the Department properly determined that Petitioner was ineligible for cash assistance. 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 eligibility for public assistance benefits.

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.

Via Electronic Mail:

Respondent

KENT COUNTY DHHS
121 MARTIN LUTHER KING JR ST SE
STE 200
GRAND RAPIDS, MI 49507
MDHHS-KENT-
HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

A series of four horizontal black redaction bars of varying lengths, indicating a redacted mailing address.