



Date Mailed: September 5, 2025
Docket No.: 25-028473
Case No.: [REDACTED]
Petitioner: [REDACTED] [REDACTED]

[REDACTED]
[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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Docket No.: 25-028473
Case No.: [REDACTED]
Petitioner: [REDACTED] [REDACTED]

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

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 telephone hearing was held via Microsoft Teams on September 2, 2025. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Jacob Frankmann, supervisor.

ISSUE

The issue is whether MDHHS properly terminated Petitioner's Food Assistance Program (FAP) eligibility.

FINDINGS OF FACT

The administrative law judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of May 2025, Petitioner was an ongoing recipient of FAP benefits with a benefit period certified through June 2025.
1. On May [REDACTED] 2025, MDHHS mailed Petitioner a Redetermination form to continue FAP benefits which reported ongoing wages for Petitioner's spouse.
2. On an unspecified date before June [REDACTED] 2025, MDHHS received income verification for Petitioner's spouse.
3. Beginning July 2025, MDHHS ended Petitioner's FAP eligibility due to Petitioner allegedly failing to timely return income verification for his spouse.
4. On August [REDACTED] 2025, Petitioner requested a hearing to dispute the termination of FAP benefits. Petitioner also requested a hearing to dispute a request by MDHHS to verify a primary private health insurance.

CONCLUSIONS OF LAW

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. MDHHS administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-112k. MA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing, in part, to dispute an attempt by MDHHS to verify information. Exhibit A, pp. 3-5. MDHHS sent Petitioner a Verification Checklist on July 31, 2025, requesting proof of Petitioner's private health insurance. Exhibit A, p. 9. Petitioner testified that he objected to the request because he did not have private health insurance; MDHHS did not disagree. However, Petitioner's lack of private health insurance is irrelevant.

Rule 792.11002(1) states that an opportunity for a hearing shall be granted to an individual who requests a hearing because his or her claim for assistance is denied or is not acted upon with reasonable promptness, has received notice of a suspension or reduction in benefits, or exclusion from a service program, or has experienced a failure of the agency to consider the recipient's choice of service. An unnecessary request for verification is not a basis for which a hearing may be granted.¹ Because Petitioner did not establish a valid dispute for a hearing concerning MA benefits, Petitioner's hearing request concerning MA benefits is properly dismissed.

The FAP [formerly known as the Food Stamp program] is funded under the federal Supplemental Nutrition Assistance Program (SNAP) established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 7 USC 2036d. It is implemented by the federal regulations contained in 7 CFR 273. MDHHS administers the FAP pursuant to MCL 400.10 of the Social Welfare Act, MCL 400.1 *et seq.*, and Mich Admin Code, R 400.3001 to R 400.3031. FAP policies are contained in the BAM, BEM, and RFT.

Petitioner also requested a hearing to dispute a termination of FAP benefits. Exhibit A, pp. 3-5. A Notice of Case Action dated June █ 2025, stated that Petitioner's FAP eligibility would end July 2025 due to an alleged failure to return wage verifications for Petitioner's spouse. Exhibit A, pp. 14-18. MDHHS testified that Petitioner's alleged failure was part of a FAP benefit redetermination.

For all programs, a complete redetermination is required at least every 12 months. BAM 210 (April 2025) p. 3. Bridges, the MDHHS database, automatically sends a DHS-1010, Redetermination, to the client on the fourth day of the month before the redetermination form is due. *Id.*, p. 8. FAP benefits stop at the end of the benefit period unless the

¹ If MDHHS subsequently affects MA eligibility, then a hearing request is proper.

redetermination process is completed and a new benefit period is certified. *Id.*, p. 3. If the redetermination packet is not logged in by the last working day of the redetermination month, Bridges automatically closes the benefits and a Notice of Case Action is not generated. *Id.*, p. 13.

Verifications must be provided by the end of the current benefit period or within 10 days after they are requested, whichever allows more time. *Id.*, p. 17. A VCL should be sent after the redetermination interview for any missing verifications allowing 10 days for their return. *Id.*

Petitioner timely returned to MDHHS a redetermination form on May █ 2025, which reported ongoing wages for his spouse. Exhibit A, pp. 10-13. During the hearing, MDHHS acknowledged that Petitioner timely submitted income verification for his spouse. MDHHS further acknowledged that Petitioner's FAP eligibility improperly ended and that it would redetermine Petitioner's FAP eligibility.

Given the evidence, MDHHS improperly terminated Petitioner's FAP eligibility. As a remedy, Petitioner is entitled to a processing of his FAP benefit redetermination.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that Petitioner failed to establish a dispute over MA benefits. Concerning MA benefits, Petitioner's hearing request is **DISMISSED**.

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS improperly terminated Petitioner's FAP eligibility. It is ordered that MDHHS commence the following actions within 10 days of the date of mailing of this decision:

- (1) Redetermine Petitioner's FAP eligibility beginning July 2025 subject to the finding that Petitioner timely submitted to MDHHS wage verification for his spouse; and
- (1) Issue notice and supplements, if any, in accordance with policy.

The actions taken by MDHHS are **REVERSED**.



CHRISTIAN GARDOCKI
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
OAKLAND COUNTY DHHS -
SOUTHFIELD DIST
25620 W 8 MILE RD
SOUTHFIELD, MI 48033
MDHHS-OAKLAND-6303-
HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED]
[REDACTED]