

ISSUE

Did the Department properly determine Petitioner's household's eligibility for Medical Assistance (MA) and Food Assistance Program (FAP) 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. On or about April 29, 2025, Petitioner submitted a Semi-Annual Contact Report for the FAP case and reported her daughter was in the home. Petitioner reported they purchased and prepared food separately due to "dietary reasons as explained prior" and it was noted that Petitioner's daughter just finished this semester of college. (Exhibit C, pp. 1-3)
2. Petitioner reported that her daughter was no longer in the home on May 30, 2025. (Petitioner Testimony)
3. On June 6, 2025, a Quick Note was issued to Petitioner stating she was approved for FAP benefits in the amount of \$292.00 for the month of December 1, 2024 and onwards. (Exhibit 1, p. 5)
4. On July 21, 2025, a Health Care Coverage Determination Notice was issued to Petitioner denying MA for Petitioner's daughter effective September 1, 2025. (Exhibit A, pp. 4-8)
5. The Department has approved full coverage MA for Petitioner as of June 2025 and ongoing. (HF Testimony)
6. On August 12, 2025, Petitioner filed a hearing request contesting MA and FAP benefits. (Exhibit A, p. 3)

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).

MA

The Medical Assistance (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 (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

In this case, the HF confirmed that the Department has approved full coverage MA for Petitioner as of June 2025 and ongoing. (HF Testimony). Accordingly, there is no need to review any prior MA determinations that affected eligibility for June 2025 and ongoing because Petitioner now has full coverage MA for that period. The approval resolves any previously contested MA eligibility determinations for the period at issue.

Petitioner raised issues regarding not being re-enrolled in the Medicaid Health Plan (MHP) when the MA eligibility was reinstated. However, the jurisdiction for this hearing is limited to the MA eligibility determination itself. The HF testified that she is working with others within the Department to see if the MHP enrollment issue can be resolved.

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 determined Petitioner's eligibility for MA.

FAP

The Food Assistance Program (FAP) [formerly known as the Food Stamp program] 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 (formerly known as the Department of Human Services) administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

On June 6, 2025, a Quick Note was issued to Petitioner stating she was approved for FAP benefits in the amount of \$292.00 for the month of December 1, 2024 and onwards. (Exhibit 1, p. 5). The HF testified that this approval is still in effect. (HF Testimony). Petitioner testified that she is not disputing that the FAP group size should have been one effective June 1, 2025. Petitioner reported that her daughter was no longer in the home on May 30, 2025. (Petitioner Testimony).

The maximum FAP allowance for a group size of one when the August 12, 2025 hearing request was filed was \$292.00. RFT 260, October 1, 2024, p. 1. This approval should have resolved the contested FAP eligibility issue because the group size was not contested for the time period being reviewed for this case and Petitioner was approved for the maximum FAP allowance for that group size. Accordingly, there is no need to review any prior FAP determinations that affected eligibility for June 2025 and ongoing. However, the HF acknowledged that it was recently discovered that FAP benefit supplements for June and July 2025 had not been issued. The HF put in a help desk ticket to have these supplements issued. (HF Testimony).

Accordingly, the Department has approved Petitioner for the maximum FAP allowance for her group size for June 2025 and ongoing but has failed to issue all of the supplemental FAP benefits for this approval.

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 failed to satisfy its burden of showing that it acted in accordance with Department policy when it determined Petitioner's household's eligibility for FAP because it has not yet issued all of the supplemental FAP benefits for the approval of the maximum FAP allowance for her group size for June 2025 and ongoing.

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 determined Petitioner's household's eligibility for MA but failed to satisfy its burden of showing that it acted in accordance with Department policy when it determined Petitioner's household's eligibility for FAP.

Accordingly, the Department's decision is **AFFIRMED IN PART** with respect to MA and **REVERSED IN PART** with respect to FAP.

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. Issue any remaining supplemental FAP benefits that Petitioner has been found eligible for effective June 2025 and ongoing in accordance with Department policy.