

Date Mailed: October 29, 2025
Docket No.: 25-028516
Case No.: [REDACTED]
Petitioner: OFFICE OF INSPECTOR
GENERAL (OIG)

HEARING DECISION
FOR INTENTIONAL PROGRAM VIOLATION (TRAFFICKING)

The Michigan Department of Health and Human Services (Department) requested a hearing alleging that Respondent [REDACTED] committed an intentional program violation (IPV) by trafficking Food Assistance Program (FAP) benefits. Pursuant to the Department's request for hearing and MCL 400.9, 7 CFR 273.16 and 7 CFR 273.18, this matter is before the undersigned Administrative Law Judge. After due notice, a hearing was held via telephone conference on October 28, 2025. Darren Bondy, Regulation Agent of the Office of Inspector General (OIG), represented the Department. Respondent did not appear at the hearing, and it was held in Respondent's absence pursuant to 7 CFR 273.16(e)(4).

A 78-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

ISSUES

1. Did the Department establish by clear and convincing evidence that Respondent committed an IPV by trafficking FAP benefits?
2. Should Respondent be disqualified from receiving FAP benefits?

FINDINGS OF FACT

The Administrative Law Judge, based on clear and convincing evidence on the whole record, finds as material fact:

1. An anonymous complaint was made through the Department's Recoupment and Fraud Tracking System (RaFTS) stating that a Facebook user named [REDACTED] was offering to buy food stamps and several people were commenting by offering to sell food stamps.
2. Photos were obtained by the Department from the Facebook page for [REDACTED] that matched images of Respondent that were obtained from governmental data sources.

3. In an assistance application submitted to the Department on January 23, 2024, and July 10, 2025, the Department notified Respondent of the FAP usage responsibilities. This includes ensuring that FAP benefits are not used by unauthorized people, must only be used to purchase eligible food for the FAP household members, and that buying or selling FAP benefits was prohibited.
4. Respondent received FAP benefits of [REDACTED] from January 23, 2024, to January 31, 2024, and [REDACTED] per month from February 1, 2024, to November 30, 2024.
5. On October 17, 2024, Respondent was actively seeking Bridge/Electronic Benefit Transfer (EBT) cards as indicated by a post that Respondent placed on Respondent's Facebook page stating, "Anybody Got A Orange Card I Need A Few Cards ??".
6. In MI, "orange card" refers to a Bridge Card/EBT card used to distribute FAP benefits formally known as food stamps.
7. On October 19, 2024, Respondent posted on Respondent's Facebook page, "Damn Ain't Nobody Tryna Sell Me Some Stamps ?".
8. On February 23, 2025, Respondent posted on Respondent's Facebook page, "Some Yall Got That Money Let Me Buy Them Stamps".
9. Respondent did not have an apparent physical or mental impairment that would limit the ability to understand or fulfill the FAP usage responsibilities.
10. Respondent has no prior FAP IPV disqualifications.
11. On August 7, 2025, the Department filed a hearing request alleging that Respondent intentionally trafficked FAP benefits. The OIG requested that Respondent be disqualified from receiving FAP benefits for a period of 12 months due to committing an IPV by trafficking.
12. A notice of hearing was mailed to Respondent at the last known address and was returned by the United States Postal Service as undeliverable.
13. The Department confirmed that the notice of hearing was mailed to Respondent's last known address of record.

CONCLUSIONS OF LAW

MDHHS policies are contained in the MDHHS Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

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 2036a. It is implemented by

the federal regulations contained in 7 CFR 273. MDHHS administers 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 400.3015.

Trafficking and IPV Disqualification

The Department alleges that Respondent committed an IPV by trafficking FAP benefits and requests that Respondent be disqualified from FAP eligibility. IPV is defined, in part, as having intentionally “committed any act that constitutes a violation of [FAP], [FAP federal] regulations, or any State statute for the purpose of using, presenting, transferring, acquiring, receiving, possessing or trafficking of [FAP] benefits or EBT [electronic benefit transfer] cards.” 7 CFR 273.16(c)(2) and (e)(6). Trafficking includes buying, selling, stealing, or otherwise effecting, or attempting to buy, sell, steal or otherwise effect, “an exchange of [FAP] benefits issued and accessed via [EBT] cards, card numbers and personal identification numbers (PINs), or by manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone.” 7 CFR 271.2.

To establish an IPV by trafficking, the Department must present clear and convincing evidence that the household member committed, and intended to commit, the IPV. 7 CFR 273.16(e)(6); BAM 720, p. 1. Clear and convincing evidence is evidence sufficient to result in “a firm belief or conviction as to the truth of the precise facts in issue.” *Smith v Anonymous Joint Enterprise*, 487 Mich 102, 114-115; 793 NW2d 533 (2010); see also M Civ JI 8.01. The clear and convincing standard is “the most demanding standard applied in civil cases.” *In re Martin*, 450 Mich 204, 227; 538 NW2d 399 (1995).

In this case, the Department alleged that Respondent committed an IPV by trafficking FAP benefits by offering to buy/sell/trade or exchange FAP benefits via Respondent’s Facebook page.

An anonymous complaint was made through the Department’s RaFTS stating that a Facebook user named [REDACTED] was offering to buy food stamps and several people were commenting by offering to sell food stamps. Photos were obtained by the Department from the Facebook page for [REDACTED] that matched images of Respondent that were obtained from governmental data sources.

Respondent’s signature on the assistance applications certified that Respondent read and understood the rights and responsibilities. This includes ensuring that FAP benefits are used legally and that buying or selling FAP benefits was prohibited. Respondent did not have an apparent physical or mental impairment that would limit the ability to understand or fulfill the FAP usage responsibilities.

On October 17, 2024, Respondent was actively seeking Bridge/EBT cards as indicated by a post that Respondent placed on Respondent’s Facebook page stating, “Anybody Got A Orange Card I Need A Few Cards ??”.

On October 19, 2024, Respondent posted on Respondent's Facebook page, "Damn Ain't Nobody Tryna Sell Me Some Stamps ?".

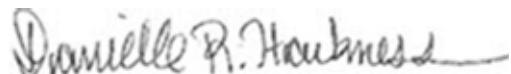
On February 23, 2025, Respondent posted on Respondent's Facebook page, "Some Yall Got That Money Let Me Buy Them Stamps".

Under the facts presented, the Department has established by clear and convincing evidence that Respondent trafficked FAP benefits by offering to buy/sell/trade or exchange FAP benefits via Respondent's Facebook page. Thus, Respondent committed an IPV. An individual who is found to have committed an IPV by a hearing decision is disqualified from receiving program benefits. 7 CFR 273.16(b). Because Respondent had no prior FAP IPV violations, Respondent is subject to a 12-month disqualification from the FAP program. 7 CFR 273.16(b), BAM 720, p. 16.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, concludes that Respondent committed an IPV by trafficking FAP benefits and is subject to a FAP disqualification.

IT IS ORDERED that Respondent be personally disqualified from the FAP for a period of 12 months.



DANIELLE R. HARKNESS
ADMINISTRATIVE LAW JUDGE

APPEAL RIGHTS: Respondent 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 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:

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Via First Class Mail:

Respondent
