



**Date Mailed:** October 17, 2025

**Docket No.:** 25-029385

**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.

[REDACTED] MI [REDACTED]

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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; 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 via telephone conference on September 24, 2025. Petitioner appeared unrepresented. Tonya Henderson, Assistance Payments Specialist, and Teresa Ware, Family Independence Manager, appeared on behalf of the Michigan Department of Health and Human Services (MDHHS or Department). MDHHS' Hearing Packet was admitted into evidence at the hearing as MDHHS Exhibit A, pp. 1-39.

### **ISSUE**

Did MDHHS properly determine Petitioner's eligibility for Family Independence Program (FIP/cash 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 was an ongoing recipient of FIP benefits.
2. On June 9, 2025, MDHHS sent Petitioner a PATH Appointment Notice indicating that applicants for FIP must attend PATH within 15 days from the date of the notice (Exhibit A, p. 9). The notice indicated that Petitioner had an appointment at the [REDACTED] on June 16, 2025 (Exhibit A, p. 9).
3. On July 5, 2025, MDHHS sent Petitioner a Notice of Noncompliance for failing to participate in employment and/or self-sufficiency related activities for FIP (Exhibit A, p. 11). The notice further indicated that Petitioner had a triage appointment on July 17, 2025 to verify the reasons for noncompliance (Exhibit A, p. 11). Petitioner did not attend the triage appointment.
4. On July 5, 2025, MDHHS sent Petitioner a Notice of Case Action indicating that her FIP case was closed because she failed to participate in employment and/or self-sufficiency-related activities for at least the third time (Exhibit A, p. 34).

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5. On July 30, 2025, Petitioner requested a hearing (Exhibit A, p. 4).

### **CONCLUSIONS OF LAW**

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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. MDHHS 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.

In this case, MDHHS closed Petitioner's FIP case for noncompliance with employment and/or self-sufficiency-related activities. MDHHS alleged that it was Petitioner's third sanction for noncompliance, which resulted in a lifetime ban from receiving FIP benefits.

FIP is a cash assistance program designed to help individuals and families become self-sufficient. BEM 209 (January 2022), p. 1. Individuals are eligible for FIP if they satisfy all financial and non-financial eligibility requirements. *Id.* Federal and state laws require each work eligible individual (WEI) in the FIP group to participate in Partnership. Accountability.Training.Hope. (PATH) or other employment-related activity unless temporarily deferred or engaged in activities that meet participation requirements. BEM 230A (October 2022), p. 1. WEI clients must participate in employment and/or self-sufficiency related activities to increase their employability and obtain employment. *Id.* A WEI who refuses, without good cause, to participate in assigned employment and/or other self-sufficiency related activities is subject to penalties. BEM 233A (October 2022), p. 1. Depending on the situation, penalties include a delay in the application; ineligibility; and case closure for a minimum of three months of the first episode of noncompliance, six months for the second episode, and a lifetime closure for the third episode. *Id.* A client's action or inaction, including failure to attend or participate in the PATH program, can lead to a penalty for noncompliance. *Id.*, p. 2. Completion of the 10-day PATH application eligibility period (AEP) is a required part of the PATH orientation. BEM 229 (April 2025), p. 1.

Here, MDHHS alleged that Petitioner failed complete employment and/or self-sufficiency-related activities, and thus, received a sanction for noncompliance. MDHHS further alleged that it was Petitioner's third sanction. At the hearing, Petitioner credibly testified that she was attempting to comply with the requirements of the program, and that she contacted her case worker prior to the triage appointment to request to reschedule the appointment. Petitioner further indicated that she was unable to participate in the in-person appointments because she did not have transportation. Petitioner testified that she attempted to contact her case worker multiple times, but was

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unable to, and that at some point she was switched to a different worker, but that the change was not communicated to her. Petitioner's testimony on this matter was credible and unrebutted.

Accordingly, the record shows that Petitioner was attempting to comply with the requirements of FIP and was unable to comply due to circumstances beyond her control. MDHHS did not present sufficient information to show that Petitioner was refusing to participate or to rebut Petitioner's credible testimony on the matter.

### **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 MDHHS failed to satisfy its burden of showing that it acted in accordance with Department policy when it closed Petitioner's FIP case. Accordingly, MDHHS' decision is **REVERSED**.

MDHHS 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. Remove the third sanction for noncompliance from Petitioner's case, implemented on or about July 2, 2025;
2. Redetermine Petitioner's eligibility for FIP, from August 1, 2025 ongoing, providing assistance with completing employment and/or self-sufficiency-related activities, as necessary;
3. If eligible, issue supplemental FIP benefits from the date of eligibility ongoing; and
4. Notify Petitioner of its decision in writing.



**LINDA JORDAN**  
**ADMINISTRATIVE LAW JUDGE**

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**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](https://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://irs.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](mailto: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**  
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**Via First Class Mail:**

**Petitioner**

[REDACTED]  
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