



Date Mailed: October 7, 2025

Docket No.: 25-029655

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]
[REDACTED]
[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 29, 2025. Petitioner appeared and was represented by [REDACTED] Authorized Hearing Representative (AHR). The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Princess Ogundipe, Assistance Payments Supervisor.

Following the closure of the record, Petitioner submitted documents to the undersigned totaling four pages. Because these documents were not offered for admission as exhibits on Petitioner's behalf during the hearing and were not admitted into the record, they will not be considered in the issuance of this Hearing Decision.

ISSUE

Did the Department properly calculate the amount of Petitioner's 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. Petitioner is an ongoing recipient of FAP benefits.
2. Petitioner's household includes herself and her two sons.
3. On or around July 25, 2025, the Department sent Petitioner a Notice of Case Action advising that effective September 1, 2025, she was approved for FAP benefits of \$207 monthly. (Exhibit A, pp. 13-17)
4. On August 11, 2025, Petitioner requested a hearing disputing the Department's actions with respect to the calculation of her FAP benefits.

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).

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.

In this case, Petitioner verbally requested a hearing disputing the calculation of her FAP benefits in the amount of \$207 effective September 1, 2025. The Department presented a FAP EDG Net Income Results Budget which was thoroughly reviewed to determine if the Department properly calculated Petitioner's FAP benefits in the amount of \$207. (Exhibit A, pp. 23-19-21).

All countable earned and unearned income available to the client must be considered in determining a client's eligibility for program benefits and group composition policies specify whose income is countable. BEM 500 (April 2022), pp. 1 – 5. The Department considers the gross amount of money earned from RSDI/Social Security and SSI benefits in the calculation of unearned income for purposes of FAP budgeting. BEM 503 (April 2024), p. 29-35. For an individual who lives in an independent living situation, State SSI Payments (SSP) are issued quarterly in the amount of [REDACTED] and the payments are issued in the final month of each quarter; see BEM 660. The Department will count the monthly SSP benefit amount [REDACTED] as unearned income. BEM 503, pp. 36-37; BEM 660 (October 2024), pp. 1-2; RFT 248 (January 2024), p. 1.

The budget reflects unearned income of [REDACTED] which the Department testified was verified through the Bendex and SOLQ data matches with the Social Security Administration (SSA). The Department representative testified that although Petitioner receives gross monthly RSDI of [REDACTED] because [REDACTED] of her RSDI benefits are withheld by SSA as an expense, the Department considered the reduced amount of [REDACTED] for Petitioner's RSDI. The Department also considered [REDACTED] in SSI and [REDACTED] in SSP for Petitioner's son (M) as well as [REDACTED] in SSI, [REDACTED] in SSP, and [REDACTED] in RSDI for Petitioner's son (R). Petitioner's AHR asserted that the SSI for M and R fluctuate monthly and for some months, amounts are withheld by the SSA. Petitioner's AHR referenced a letter from SSA dated August 26, 2025, that he indicated identifies the amount of SSI and any withholdings. Petitioner's AHR did not provide any information on the type of expense or withholding and whether it was due to an overpayment or some other reason. Additionally, the letter was dated August 26, 2025, which is after Petitioner's request for

25-029655

hearing and was not available to the Department at the time the budget was completed. Therefore, based on the information that was available to the Department at the time the budget was completed and based on the information obtained from the data match, the Department properly calculated Petitioner's unearned income of [REDACTED]. Should Petitioner submit verification of the fluctuating unearned income for the household members, the Department will process the reported change and make adjustments to Petitioner's FAP budget, if allowable per policy.

The deductions to income on the net income budget were also reviewed. Petitioner's FAP group includes a senior/disabled/veteran (SDV) member. BEM 550 (October 2024), pp. 1-2. Petitioner's FAP group is eligible for the following deductions to income:

- Dependent care expense.
- Excess shelter.
- Court ordered child support and arrearages paid to non-household members.
- Standard deduction based on group size.
- Medical expenses for the SDV member(s) that exceed \$35.
- An earned income deduction equal to 20% of any earned income.

BEM 554 (October 2024), p. 1; BEM 556 (October 2024), p. 1-8.

Petitioner's group did not have any earned income; thus, there was no applicable earned income deduction. There was no evidence presented that Petitioner had any out-of-pocket dependent care or child support expenses and therefore, the budget properly did not include any deduction for dependent care or child support. The Department also properly applied a standard deduction of \$204 which was based on Petitioner's confirmed group size of three. RFT 255 (October 2024), p. 1. The budget also reflects a medical deduction of \$0. The Department asserted that no medical expenses were submitted for consideration at the time the budget was completed. Petitioner's AHR asserted that Petitioner's son R receives monthly injections that cost \$165. There was also testimony that additional expenses are incurred by the household for transportation costs, among other medical expenses. Petitioner's AHR confirmed that verification of the expenses was sent to the Department via mail on or around September 24, 2025. The Department reviewed Petitioner's electronic case file and testified that as of the hearing date, the expenses have not yet been received by the Department. Petitioner was advised that upon receipt of the medical expenses, the Department will process and apply the medical expenses to the FAP budget as a medical deduction as allowable by policy. Based on the information available to the Department, the medical deduction was properly calculated at \$0.

With respect to the calculation of the excess shelter deduction, the Department representative testified that it relied upon the shelter verification submitted by Petitioner in December 2024 and considered housing expenses of \$1,380 which included \$708 in home rent and \$672 in lot rent. The Department also considered the \$664 heat and utility standard, which covers all heat and utility costs including cooling expenses and is

25-029655

the maximum total utility and most beneficial standard available to the client, and a \$50 internet standard. BEM 554, pp. 13-31; RFT 255, p.1. Petitioner's AHR asserted that Petitioner's rental obligation has since increased but it was established that this verification was not submitted to the Department prior to the hearing. Additionally, Petitioner's AHR asserted that Petitioner's monthly rental expense fluctuates based on water usage. However, because Petitioner is already receiving the heat and utility standard, she is not eligible for an additional or separate utility standard for water.

The excess shelter deduction is calculated by subtracting 50% of the adjusted gross income from the total shelter amount. The Department properly determined that Petitioner's total shelter amount was \$2,094 (\$1,380 in housing expense and \$664 in heat/utility standard and \$50 internet standard) and 50% of his adjusted gross income of [REDACTED] was [REDACTED]. Thus, the Department properly determined that Petitioner was eligible for an excess shelter deduction of \$773.

After further review, the Department properly determined Petitioner's income and took into consideration the appropriate deductions to income. Based on net income of [REDACTED] Petitioner's three person FAP group is eligible for \$207 in monthly FAP benefits for the month of September 2025. RFT 260 (October 2024), p.26.

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 calculated the amount of Petitioner's FAP benefits of \$207 for September 1, 2025, ongoing.

Accordingly, the Department's decision is **AFFIRMED**.


ZAINAB A BAYDOUN
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.



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