



**Date Mailed:** September 12, 2025  
**Docket No.:** 25-029671  
**Case No.:** [REDACTED]  
**Petitioner:** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] MI [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.

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Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

### **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 11, 2025. Petitioner appeared for the hearing and represented herself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Danielle Moton, Assistance Payments Worker.

### **ISSUE**

Did the Department properly process Petitioner's application for 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 around [REDACTED] 2025, Petitioner submitted an application requesting FAP benefits. (Exhibit A, pp. 11-17)
2. On or around July 16, 2025, the Department sent Petitioner a Verification Checklist (VCL) instructing her to submit proof of her loss of employment by July 28, 2025. (Exhibit A, pp. 18-19)
3. The Department asserted that Petitioner failed to submit proof of her loss of employment by the July 28, 2025, due date identified on the VCL. (Exhibit A, p.21)
4. On or around July 29, 2025, the Department sent Petitioner a Notice of Case Action advising Petitioner that her FAP application was denied due to a failure to verify requested information. (Exhibit A, pp. 22-25)
5. On or around August 8, 2025, Petitioner submitted an employment statement to the Department. (Exhibit A, p. 21)
6. On or around August 12, 2025, Petitioner requested a hearing disputing the Department's denial of her FAP application.

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7. The Department reprocessed the application and approved Petitioner for FAP benefits from August 8, 2025, ongoing.
  8. On or around August 21, 2025, the Department sent Petitioner a Notice of Case Action advising that from August 8, 2025, through August 31, 2025, she was approved FAP benefits of \$226 and for September 1, 2025, ongoing, she was approved for \$292 monthly. (Exhibit A, pp. 26-31)

### **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 disputed the denial of her [REDACTED] 2025, FAP application.

Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level. BAM 130 (May 2024), p.1. To request verification of information, the Department sends a verification checklist (VCL) which tells the client what verification is required, how to obtain it, and the due date. BAM 130, p. 3. Although the client must obtain the required verification, the Department must assist if a client needs and requests help. If neither the client nor the Department can obtain the verification despite a reasonable effort, the Department is to use the best available information; and if no evidence is available, the Department is to use its best judgment. BAM 130, pp. 3-4. For FAP cases, clients are given 10 calendar days to provide the verifications requested by the Department. Verifications are considered to be timely if received by the date they are due. The Department sends a negative action notice when the client indicates a refusal to provide a verification **or** the time period given has elapsed and the client has not made a reasonable effort to provide it. BAM 130, pp. 7-8.

BAM 115 provides guidance for the procedure the Department is to follow when a client completes the FAP application process after denial but within 60 days after the application date, the Department is to reregister the application using the original application date and if eligible, determine whether to prorate benefits according to the initial benefits policy, provided that the application process was completed on or before the 30<sup>th</sup> day. If the application process is completed between the 31<sup>st</sup> and 60<sup>th</sup> day, the Department is to reregister the application using the date the client completed the

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process and if eligible, prorate benefits from the date the client complied. BAM 115 (October 2024), pp.24-27.

At the hearing, the Department representative testified that in connection with the [REDACTED] 2025, FAP application, a VCL was issued, instructing Petitioner to submit proof of her loss of employment by July 28, 2025. The Department representative testified that because Petitioner failed to submit the requested verifications by the due date, and because there was no evidence that Petitioner requested assistance from the Department in obtaining the verifications, it issued the July 29, 2025, Notice of Case Action, denying Petitioner's FAP application. The Department representative testified that it received the requested verification of loss of employment through an employer statement on August 8, 2025, and reprocessed Petitioner's FAP application from that date, ongoing, approving her for FAP benefits. However, at the hearing, the Department acknowledged that because Petitioner submitted the missing verifications before the 30<sup>th</sup> day, the Department should have reregistered the application using the original application date, and prorate benefits according to the initial benefit policy outlined above in BAM 115.

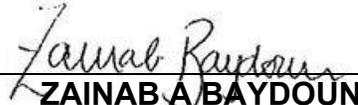
### **DECISION AND ORDER**

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 did not act in accordance with Department policy when it processed Petitioner's [REDACTED] 2025, FAP application.

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

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. Register and process Petitioner's [REDACTED] 2025, FAP and SER application to determine her eligibility for FAP benefits from July 14, 2025, ongoing;
2. Issue FAP supplements to Petitioner for any benefits she was eligible to receive but did not from July 14, 2025, ongoing; in accordance with Department policy; and
3. Notify Petitioner in writing of its decision.

  
**ZAINAB A. BAYDOUN**  
**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://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](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**

WAYNE-GREENFIELD/JOY-DHHS

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DETROIT, MI 48228

**MDHHS-WAYNE-17-HEARINGS@MICHIGAN.GOV**

**Via First Class Mail:**

**Petitioner**

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