



Date Mailed: September 26, 2025
Docket No.: 25-031549
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [REDACTED]

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এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

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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; 42 CFR 438.400 to 438.424; 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 by telephone on September 24, 2025. Petitioner appeared and represented himself. The Department of Health and Human Services (Department) was represented by Rodney Turner, Assistance Payments Supervisor, and Wayne Darrell, Assistance Payments Worker and Eligibility Specialist. Petitioner's wife, [REDACTED] (Spouse), was sworn in as a witness.

ISSUE

Did the Department properly process changes reported by Petitioner for purposes of his 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 January 22, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that approved Petitioner, as a simplified reporter (SR), for ongoing FAP benefits effective February 1, 2025 to August 31, 2025.
1. Petitioner's FAP benefits were issued on the 7th of each month.
2. On July 1, 2025, the Department received a change report from Petitioner. Petitioner reported that his employment ended June 30, 2025. The change report informed Petitioner that the Department may ask for proof of the reported change, and he would have 10 days to provide any requested proof. (Exhibit A, pp. 12 – 13).
3. On July 21, 2025, the Department received a completed redetermination application for FAP benefits from Petitioner. Petitioner confirmed that his employment with Employer had ended June 30, 2025. (Exhibit A, pp. 23 – 25).
4. On July 24, 2025, the Department sent Petitioner a Verification Checklist (VCL) that requested verification of a) Petitioner's last 30 days of income from [REDACTED]

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██████ (Employer), and b) Petitioner's loss of employment with Employer; and included a blank Verification of Employment (VOE) form. The verifications were due by August 4, 2025. (Exhibit A, pp. 14 – 19).

5. On July 30, 2025, the Department received the completed VOE from Petitioner. (Exhibit A, pp. 20 – 22).
6. On August 8, 2025, the Department sent Petitioner a NOCA that approved him as a SR for FAP benefits of \$1,756 per month for his eight-person FAP group effective September 1, 2025. (Exhibit A, pp. 26 – 28).
7. On August 27, 2025, the Department received a request for hearing from Spouse, disputing the Department's failure to issue supplemental FAP benefits for the benefit months of June, July, and August 2025, in response to Petitioner's reported change. (Exhibit A, pp. 3 – 9).
8. On September 2, 2025, the Department sent Petitioner a Benefit Notice that approved him for supplemental FAP benefits of \$907 for the period of August 1, 2025 to August 31, 2025, and issued the supplemental benefits. (Exhibit A, pp. 33 – 34).

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.

Petitioner, through Spouse, requested a hearing to dispute the Department's failure to issue supplemental FAP benefits for the benefit months of June, July, and August 2025, in response to a reported change. Petitioner reported a loss of employment on July 1, 2025. Following Petitioner's request for hearing, the Department issued supplemental FAP benefits to Petitioner for the August 2025 benefit month. As a preliminary matter, at the beginning of the hearing, Petitioner testified that his dispute as to the June and August 2025 benefit months were resolved, and his only remaining dispute was that the Department did not issue a FAP supplement for the benefit month of July 2025. Therefore, the hearing proceeded to address the Department's decision regarding the July 2025 benefit month only.

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For purposes of FAP benefits, when a client reports a change that will result in a FAP benefit increase, and verification of the reported change is required, the Department must tell the client what verification is required, how to obtain it, and allow the FAP group 10 days from a) the date the change is reported, or b) the date the Department requested the verification, to provide the required verification. BAM 130 (May 2024), p. 7; BAM 220 (June 2025), pp. 8 – 9; BEM 505 (June 2025), pp. 11 – 12. For FAP benefits, when the client provides the requested verification by the due date, the effective date of the reported change is no later than the first allotment issued 10 days after the change was reported, i.e. the month after the month in which the 10th day after the reported change falls. BEM 505, pp. 11 – 12.

In this case, there was no dispute that:

- a) Petitioner reported on July 1, 2025, that his employment ended on June 30, 2025,
- b) Petitioner's FAP benefits are issued to him on the 7th of each month,
- c) The Department sent Petitioner a VCL to verify his loss of employment on July 24, 2025,
- d) Petitioner returned the required verification to the Department on July 30, 2025, and
- e) The Department issued a FAP benefit supplement of \$907 to Petitioner on September 2, 2025, for August 2025.

During the hearing, Petitioner expressed concern that he did not receive a supplement for July 2025, a) based on the "arbitrary" day of the month on which his FAP benefits are issued, or b) because the Department didn't request verifications from him until July 24, 2025. However, as explained previously, policy provides that the earliest effective date of a reported change is the benefit month following the 10th day after the change is reported. Because Petitioner reported his change on July 1, 2025, the earliest Petitioner's change could have been effective was the first benefit month after July 11, 2025, which was August 2025. BEM 505, pp. 11 – 12. Then, because Petitioner returned the verification of his loss of employment within 10 days of the Department requesting the verification, the effective date of Petitioner's reported change was August 1, 2025.

There was no dispute that although the Department initially failed to increase Petitioner's FAP benefits effective August 1, 2025, it did issue a supplement to him on September 2, 2025, for the month of August 2025. Given the date on which Petitioner's change occurred, and that Petitioner's report and verification of the change were both timely, the earliest effective date of Petitioner's FAP benefit increase was August 1, 2025. Therefore, the Department properly determined the effective date of

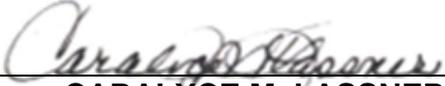
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Petitioner's reported change was August 1, 2025, and issued a FAP supplement to him for August 2025.

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 the effective date of Petitioner's reported change was August 1, 2025, and issued Petitioner supplemental FAP benefits for August 2025.

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



CARALYCE M. LASSNER
ADMINISTRATIVE LAW JUDGE

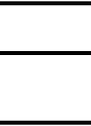
APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative 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

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