



Date Mailed: September 29, 2025
Docket No.: 25-032102
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.

这是一份重要的法律文件。请让别人翻译文件。

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

Date Mailed: September 29, 2025

Docket No.: 25-032102

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On August 25, 2025, Petitioner [REDACTED] requested a hearing to dispute Petitioner's Food Assistance Program (FAP) benefit amount of \$142.00 per month from September 1, 2025, to August 31, 2026. As a result, a hearing was scheduled to be held on September 25, 2025, pursuant to MCL 400.9, 7 CFR 273.15, and Mich Admin Code, R 792.11002. Petitioner appeared at the hearing and represented herself. Respondent Department of Health and Human Services (Department) had Jennipher Wheeler, Family Independence Manager, appear as its representative.

A 38-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

ISSUE

Did the Department properly determine that Petitioner was eligible for a FAP benefit of \$142.00 per month from September 1, 2025, to August 31, 2026?

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 July 7, 2025, Petitioner submitted a redetermination.
2. Petitioner has a household size of 1.
3. Petitioner submitted the following check stubs to the Department:
 - a. Dated June 4, 2025, with a gross income of [REDACTED]
 - b. Dated June 11, 2025, with a gross income of [REDACTED]
 - c. Dated June 18, 2025, with a gross income of [REDACTED]
 - d. Dated June 25, 2025, with a gross income of [REDACTED]
4. Petitioner has housing expenses of \$825.00 per month, and because Petitioner is responsible for Petitioner's heating/cooling utilities Petitioner receives the heat/utility standard of \$664.00.

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5. The Department determined that the maximum FAP benefit Petitioner was eligible for \$142.00 per month from September 1, 2025, to August 31, 2026.
 6. On August 25, 2025, Petitioner requested a hearing to dispute Petitioner's FAP benefit amount.
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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 FAP 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 administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

The Department determines a client's monthly FAP benefit amount by determining the client's group size and net household income, and then looking that information up in its applicable Food Issuance Table. BEM 212 (June 1, 2025), BEM 213 (October 1, 2024), BEM 550 (April 1, 2025), BEM 554 (August 1, 2025), BEM 556 (October 1, 2024), RFT 255 (October 1, 2024), and RFT 260 (October 1, 2024). Here, there is no evidence that the Department did not properly determine Petitioner's FAP benefit amount.

To determine a client's countable income, the Department must use past income to prospect income for the future, unless changes are expected. BEM 505 (June 1, 2025), p. 6. In general, the Department uses income from the past 30 days if it appears to accurately reflect what is expected to be received in the benefit month. *Id.* If income from the past 30 days does not appear to accurately reflect what is expected to be received in the benefit month, and fluctuations of income during the past 60 or 90 days appear to accurately reflect the income that is expected to be received in the benefit month, then the Department uses income from the past 60 or 90 days. *Id.*

In this case, Petitioner submitted paycheck stubs to the Department showing that Petitioner received gross earnings of [REDACTED] on June 4, 2025; [REDACTED] on June 11, 2025; [REDACTED] on June 18, 2025; and [REDACTED] on June 25, 2025. These income amounts were added and divided by 4. The total was then multiplied by 4.3 which equals a projected gross monthly earned income amount of [REDACTED] + [REDACTED] + [REDACTED] = [REDACTED] = [REDACTED] x 4.3).

Based on Petitioner's household size of 1, Petitioner's earned income of [REDACTED] the earned income deduction of [REDACTED] the standard deduction of \$204.00, and the shelter deduction of \$827.00 the Department properly determined that Petitioner's net

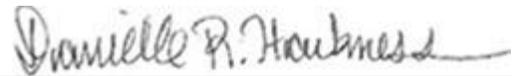
income was [REDACTED] and Petitioner is eligible for a FAP benefit amount of \$142.00 per month from September 1, 2025, to August 31, 2026.

The Department followed the applicable policies and used the maximum deductions it was permitted to use to calculate Petitioner's net income and FAP benefit amount. Thus, the Department properly determined that Petitioner was eligible for a FAP benefit amount of \$142.00 per month from September 1, 2025, to August 31, 2026.

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 act in accordance with its policies and the applicable law when it determined Petitioner's monthly FAP benefit amount.

IT IS ORDERED, the Department's decision is **AFFIRMED**.



**DANIELLE R. HARKNESS
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.

Via Electronic Mail:

Respondent

MUSKEGON COUNTY DHHS

2700 BAKER ST

PO BOX 4290

MUSKEGON HEIGHTS, MI 49444

MDHHS-MUSKEGON-HEARING@michigan.gov

Via First Class Mail:

Petitioner

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