



Date Mailed: November 5, 2025

Docket No.: 25-033070

Case No.: [REDACTED]

Petitioner: [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.

[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; 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 October 9, 2025. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Michael Butler, Family Independence Manager.

ISSUE

Did the Department properly deny Petitioner Family Independence Program (FIP) cash assistance?

Did the Department properly process Petitioner's application for Child Development and Care (CDC) assistance?

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 has two minor children, [REDACTED] (AN) and [REDACTED] (SN). AN is [REDACTED] years old and was born in 2018. SN is [REDACTED] years old and was born in 2021. (Exhibit A, p. 13).
2. On [REDACTED] 2025, the Department received an application for FIP and CDC assistance from Petitioner for herself, AN, and SN.
3. On August 14, 2025, the Department sent Petitioner a Verification Checklist (VCL) for FIP and Food Assistance Program (FAP) benefits. The Department requested that Petitioner provide verification of AN's school attendance, Petitioner's unemployment compensation, and Petitioner's relationship to SN, to the Department by August 25, 2025. (Exhibit A, pp. 10 – 11).
4. On September 5, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied Petitioner FIP assistance effective September 1, 2025, for failure to provide requested verifications. The NOCA did not approve or deny Petitioner for CDC assistance. (Exhibit A, pp. 6 – 7).

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5. On September 8, 2025, the Department received a request for hearing from Petitioner, disputing denial of her request for FIP and CDC assistance. (Exhibit A, pp. 3 – 5).
 6. On September 20, 2025, the Department sent Petitioner a NOCA that approved her to receive CDC assistance of 90 hours bi-weekly for SN effective August 24, 2025. The NOCA did not approve or deny CDC assistance for AN.

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 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. The Department (formerly known as the Department of Human Services) 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.

The Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, 42 USC 601-619, 670-679c, and 1397-1397m-5; the Child Care and Development Block Grant of 1990, PL 101-508, 42 USC 9858 to 9858q; and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193. The program is implemented by 45 CFR 98.1-99.33. The Department administers the program pursuant to MCL 400.10 and provides services to adults and children pursuant to MCL 400.14(1) and Mich Admin Code, R 400.5001-.5020.

Petitioner requested a hearing to dispute denial of her application for FIP and CDC assistance. The Department denied Petitioner FIP assistance effective September 1, 2025, for failure to provide requested verifications. The Department testified that although it had not made a determination regarding Petitioner's eligibility for CDC as of the date she requested a hearing, it subsequently approved Petitioner for CDC for SN only.

FIP

FIP cash assistance is available to eligibility determination groups (EDG) who have a financial need, as determined by policy, and meet all of the non-financial and financial requirements that are needed to determine eligibility and calculate benefit amounts. BEM 209 (January 2022), pp. 1 – 2; BEM 515 (February 2024), p. 1; BEM 518 (July 2023), pp. 1 – 4. To determine a client's eligibility for FIP assistance, verification is usually required. BAM 130 (May 2024), p. 1.

To request verification of information, the Department sends a VCL to the client, which tells the client what verification is required, how to obtain it, and the due date. BAM 130, p. 3. The client must obtain required verification, but the local office must assist if they need and request help. BAM 130, pp. 3 – 4. For FIP, if the client contacts the Department prior to the due date and requests an extension or assistance in obtaining verifications, the specialist may grant an extension. BAM 130, p. 7. However, when the verification due date has passed and the client has not made a reasonable effort to provide the requested documents or been granted an extension, the Department issues a NOCA denying the client's application or closing the client's case. BAM 130, pp. 7 – 8.

Because eligibility for FIP assistance is dependent on financial need, the Department must verify the group's income to determine if the group has a financial need as defined by policy. BEM 505 (October 2023), p. 14; BEM 515, p. 1; BEM 518, p. 2 – 6. Unemployment income is considered unearned income and is verified with a recent check stub, Consolidated Inquiry (CI), through the Unemployment Insurance Agency (UIA), or other acceptable methods that provide the necessary information. BEM 503 (January 2025), pp. 38, 46.

In addition to financial eligibility requirements for FIP assistance, non-financial eligibility factors require that a) the group must include a dependent child, and b) the children in the group, ages 6 through 17, must attend school full-time. BEM 210 (July 2021), p. 1; BEM 245 (July 2023), p. 1. The Department must verify school enrollment and attendance at application and redetermination for each child beginning with age 7. BEM 245, p. 11. School enrollment and attendance may be verified with a DHS-3380 Verification of Student Information, telephone contact with the school, or other acceptable documentation. BEM 245, pp. 11 – 12.

Here, the Department sent Petitioner a VCL that requested verification of her unemployment compensation and relationship to SN, and AN's school attendance, for determination of Petitioner's eligibility for FIP and FAP benefits. The VCL instructed Petitioner to provide the verifications to the Department by August 25, 2025; and that if Petitioner had any questions regarding the VCL, to contact the Department.

Although Petitioner testified that she provided the verifications to the Partnership. Accountability. Training. Hope. (PATH) program on September 3, 2025, there was no dispute that Petitioner did not provide the requested verifications to the Department by the August 25, 2025 due date. Petitioner explained that she did not provide the requested verifications to the Department prior to due date because she thought that if she successfully completed the PATH program, she would be eligible for FIP assistance; and also testified that she was unsure where to send the verifications or whether she was to provide them to the Department or to the PATH program. However, the VCL directed Petitioner to contact the Department if she had any questions and there was no evidence or testimony that she did so.

Therefore, because Petitioner did not provide the requested verifications to the Department by the due date, or contact it to request clarification or assistance regarding the verifications, the Department properly denied Petitioner's application for FIP assistance.

CDC

When the Department receives an application for CDC assistance from a client, among its obligations is the responsibility to determine and certify the client's eligibility results within 30 calendar days from the receipt of application and inform the client of the eligibility determination. BAM 105 (April 2025), pp. 17 – 18; BAM 115 (October 2024), pp. 1 – 2, 16; BAM 220 (November 2023), pp. 2 – 3, 22.

In this case, the Department testified that it sent Petitioner a NOCA on September 20, 2025, after Petitioner's request for hearing, that approved Petitioner for CDC assistance for SN only. The Department did not clearly explain why the NOCA did not include CDC assistance or denial of assistance for AN. There was no additional evidence introduced during the hearing to provide clarification of the Department's actions. Therefore, the Department failed to satisfy its burden of showing that it acted in accordance with Department policy when it determined Petitioner's eligibility for CDC assistance.

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 denied Petitioner FIP assistance for failure to return verifications, but failed to satisfy its burden of showing that it acted in accordance with Department policy when it determined Petitioner's eligibility for CDC assistance.

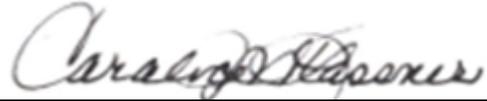
Accordingly, the Department's decision is **AFFIRMED IN PART** with respect to FIP, and **REVERSED IN PART** with respect to CDC.

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. Reprocess Petitioner's [REDACTED] 2025 application and redetermine her eligibility for CDC based on the application;
1. If eligible, issue CDC supplemental payments to Petitioner or her provider for any CDC benefits that she was eligible to receive, but did not, from the date of eligibility ongoing; and

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2. Notify Petitioner of its decisions in writing.



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

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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Via Electronic Mail:

Respondent

OAKLAND COUNTY DHHS - SOUTHFIELD DIST
25620 W 8 MILE RD
SOUTHFIELD, MI 48033

MDHHS-OAKLAND-6303-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED] MI [REDACTED]