



**Date Mailed:** October 16, 2025  
**Docket No.:** 25-033097  
**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.

**Date Mailed:** October 16, 2025

**Docket No.:** 25-033097

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED] [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Christian Gardocki**

### **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 telephone hearing was held via Microsoft Teams on October 9, 2025. Petitioner participated and was unrepresented. [REDACTED] [REDACTED] Petitioner's spouse, testified on behalf of Petitioner.<sup>1</sup> The Michigan Department of Health and Human Services (MDHHS) was represented by Sunshine Simonson, specialist. Mohamed Fahmy of Linguistica International participated as an English-Arabic translator.

### **ISSUE**

The issue is whether MDHHS properly denied Petitioner's Food Assistance Program (FAP) applications.

### **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 [REDACTED] 2025, Petitioner applied for FAP benefits.
2. On August [REDACTED] 2025, MDHHS called Petitioner, through a translator, and left a voicemail message.
3. On August [REDACTED] 2025, MDHHS mailed Petitioner notice of a telephone application interview scheduled for August 25, 2024, informing Petitioner she would be called between 8:45 a.m. and 10:45 a.m.

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<sup>1</sup> Because [REDACTED] [REDACTED] called into the hearing, it was assumed that she was the petitioner. After spelling her first name as, "[REDACTED]" she agreed, when asked, that the correct spelling was "[REDACTED]". Though the undersigned has doubts that [REDACTED] is the petitioner and shares the same name as her husband, for purposes of this decision she will be recognized as the petitioner.

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4. On August █ 2025, MDHHS sent a text reminder to Petitioner at 8:30 a.m.; MDHHS also called Petitioner multiple times beginning at 8:40 a.m. with no response by Petitioner.
  5. On August █ 2025, MDHHS mailed Petitioner a Notice of Missed Appointment warning that Petitioner's FAP benefit application would be denied unless an interview was requested by August 30, 2025.
  6. On September █ 2025, MDHHS denied Petitioner's FAP benefit application due to Petitioner's failure to be interviewed.
  7. On September █ 2025, Petitioner requested a hearing to dispute the denial of FAP benefits. Petitioner also requested a hearing concerning Medical Assistance (MA) eligibility.
  8. On October 9, 2025, during an administrative hearing, Petitioner withdrew her dispute concerning MA eligibility.

### **CONCLUSIONS OF LAW**

The MA program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. MDHHS administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k. MA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing, in part, to dispute MA eligibility. Exhibit A, pp. 3-4. Before the substance of Petitioner's MA dispute was discussed, Petitioner testified that her dispute was resolved and requested to partially withdraw her hearing request.<sup>2</sup> MDHHS had no objections to the withdrawal. Based on Petitioner's partial hearing request withdrawal, Petitioner's dispute concerning MA benefits is dismissed.

The FAP [formerly known as the Food Stamp program] is funded under the federal Supplemental Nutrition Assistance Program (SNAP) established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 7 USC 2036d. It is implemented by the federal regulations contained in 7 CFR 273. MDHHS administers the FAP pursuant to MCL 400.10 of the Social Welfare Act, MCL 400.1 *et seq.*, and Mich Admin Code, R 400.3001 to R 400.3031. FAP policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

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<sup>2</sup> A Health Care Coverage Notice dated September 15, 2025 corroborated that Petitioner and her family members received ongoing full-coverage MA benefits. Exhibit A, pp. 8-10. MDHHS testimony also corroborated that Petitioner and her family members received ongoing MA benefits.

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Petitioner also requested a hearing to dispute a denial of FAP benefits. Exhibit A, pp. 3-4. Petitioner applied for FAP benefits on July ■ 2025. A Notice of Case Action dated September ■ 2025, stated that MDHHS denied the application due to Petitioner's failure to be interviewed. Exhibit A, pp. 15-20.

For FAP benefits, MDHHS must conduct a telephone interview before approving benefits.<sup>3</sup> BAM 115 (July 2025) p. 20. Interviews must be scheduled promptly to meet standards of promptness. *Id.*, p. 23. If a client misses an interview appointment, MDHHS is to send a Notice of Missed Interview advising a client that it is his/her responsibility to request another interview date. *Id.* If the client calls to reschedule, the interview should be held no later than the 30<sup>th</sup> day after application, if possible. *Id.* MDHHS is to not deny the application if the client has not participated in a scheduled initial interview until the 30th day after the application. *Id.*, p. 6 and 18.

An MDHHS specialist documented that Petitioner was called for a FAP application interview on August ■ 2025, and that Petitioner did not answer. Exhibit A, p. 12. MDHHS also documented that a voicemail message was left through a translator. *Id.* MDHHS followed up by sending Petitioner a telephone appointment notice the same date. The notice stated that MDHHS would call Petitioner for an application interview on August ■ 2025, between 8:45 and 10:45 p.m. Exhibit A, p. 13. MDHHS documented that it sent Petitioner a text at 8:30 a.m. on the date of interview as a reminder. Exhibit A, p. 12. An MDHHS specialist also documented that Petitioner was called at 8:40 a.m. and did not answer. MDHHS additionally documented that Petitioner was called multiple times thereafter including a call that was answered with no audible response and another call where the specialist waited two minutes for an answer. MDHHS's evidence was reasonably well-documented.

Petitioner testified that she answered the phone on August ■ 2025, and spoke, but there was no response from the caller. Petitioner also testified that she expected a call from MDHHS on September ■ 2024, but received none.<sup>4</sup> Petitioner additionally testified she called MDHHS on September ■ 2025, and waited an hour before ending the call.

Petitioner's testimony did not explain why she did not respond to at least two other calls from MDHHS on August ■ 2025. Petitioner's testimony failed to corroborate why she expected MDHHS to call for an interview on September ■ 2025. Petitioner's testimony also did not explain why she failed to choose a telephone option to be called back by MDHHS on the same day after waiting for an hour on September ■ 2025. The evidence established that MDHHS properly followed its policy in attempting to conduct an application interview with Petitioner.

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<sup>3</sup> In some circumstances, an in-person interview must be conducted. BAM 115 (January 2024) p. 1. Such circumstances are not relevant to the present case.

<sup>4</sup> MDHHS testified it had no record of a call to Petitioner on September ■ 2025.

Because Petitioner was not interviewed, MDHHS mailed Petitioner a Notice of Missed Interview form on August ■ 2025, stating that Petitioner needed to call MDHHS by August 30, 2025 to schedule an interview or FAP benefits would be terminated at the end of month. Exhibit A, p. 14. There was no evidence that Petitioner contacted MDHHS before August 30, 2025.

The evidence established that MDHHS properly followed its policy in attempting to conduct an application interview with Petitioner. The evidence further established that MDHHS failed to be interviewed through no fault of MDHHS. Thus, MDHHS properly denied Petitioner's FAP benefit application dated July ■ 2025, due to Petitioner's failure to be interviewed.<sup>5</sup>

### **DECISION AND ORDER**

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that Petitioner withdrew her dispute concerning MA benefits. Concerning MA benefits, Petitioner's hearing request dated September ■ 2025, is **DISMISSED**.

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly denied Petitioner's FAP benefit application dated July ■ 2025. The actions of MDHHS are **AFFIRMED**.



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**CHRISTIAN GARDOCKI**  
**ADMINISTRATIVE LAW JUDGE**

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<sup>5</sup> Petitioner is encouraged to reapply for FAP benefits if still needed.

**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**

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**Via First Class Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]