



**Date Mailed:** October 27, 2025

**Docket No.:** 25-034141

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

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

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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; 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 October 20, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Regina Foster, Assistance Payment Specialist, and Corlette Brown, Hearings Facilitator.

### **ISSUE**

Did the Department properly process Petitioner's [REDACTED] 2025 Food Assistance Program (FAP) application?

### **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 [REDACTED] 2025, Petitioner applied for FAP. (Exhibit A, pp. 10-17)
2. On August 25, 2025 at 10:44 am, MDHHS called Petitioner at the number she identified in her application to conduct an interview in connection with the application but there was no response. (Exhibit A, pp. 10, 18-20)
3. On August 28, 2025, MDHHS sent Petitioner a notice notifying her that she had missed her appointment.
4. On September 12, 2025, MDHHS sent Petitioner a Notice of Case Action notifying her that her application was denied due to her failure to complete the interview requirement. (Exhibit A, pp. 5-8)
5. On September 16, 2025, Petitioner called MDHHS alleging that MDHHS had not called her for the interview, and MDHHS logged the call was as a verbal request for hearing. (Exhibit A, p. 3)
6. On September 24, 2025, Petitioner completed her FAP application and was approved for FAP benefits.

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## CONCLUSIONS OF LAW

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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.

MDHHS denied Petitioner's ██████████ 2025 FAP application because she had failed to complete the interview process. An interview between a FAP applicant and MDHHS is a condition to FAP eligibility and is required before denying assistance even if it is clear from the application or other sources that the group is ineligible. BAM 115 (July 2025), pp. 1, 16. The purpose of the interview is for MDHHS to explain program requirements to the applicant and gather information for determining the group's eligibility. BAM 115, p. 16. An interview must be held by the 20<sup>th</sup> day after the application date to allow the client at least 10 days to provide verifications by the 30<sup>th</sup> day. BAM 115, p. 22. If a client misses an interview, MDHHS sends a DHS-254, Notice of Missed Interview, advising the client that it is their responsibility to request another interview date. BAM 115, p. 22. This notice is sent only after the first missed interview. BAM 115, p. 22. If the client calls to reschedule, the interview must be set prior to the 30<sup>th</sup> day, if possible. BAM 115, p. 22. If the client fails to reschedule or misses the rescheduled interview, the application is denied on the 30<sup>th</sup> day. BAM 115, p. 22.

Here, Petitioner's worker testified that she called Petitioner on August 25, 2025 for the FAP interview and presented data from MDHHS's phone logs showing that an outgoing call was made by MDHHS at 10:44 am to the telephone number Petitioner identified on her FAP application. Petitioner's worker testified that Petitioner did not pick up and she received a message that Petitioner's phone was not accepting calls. The case notes she entered on August 25, 2025 were consistent with her testimony. Although Petitioner denied receiving a call from MDHHS on August 25, 2025 as scheduled, the worker's testimony and documentation provided by MDHHS support MDHHS's position that a call was made on August 25, 2025 to Petitioner for her scheduled FAP interview.

At the hearing, Petitioner acknowledged receiving the Notice of Missed Appointment, notifying her that she had missed the interview call and it was her responsibility to call MDHHS to reschedule the interview. There was no evidence that Petitioner called MDHHS to reschedule the interview by the 30<sup>th</sup> day following the ██████████ 2025 FAP application. Therefore, MDHHS properly sent Petitioner a Notice of Case Action on

25-034141

September 12, 2025, the 30<sup>th</sup> day after the application date, denying the application. The evidence established that the interview was not completed until September 24, 2025. Because the interview was completed more than 30 days after the application date, but within 60 days of the application, and it appeared that MDHHS had all necessary information at that time to process the application, Petitioner was eligible for pro-rated benefits from the date the interview was completed.

At the hearing, MDHHS testified that Petitioner received \$0 in FAP benefits for September 2025 and was approved for \$24 in monthly FAP benefits for October 2025 ongoing. An individual is eligible for FAP benefits for a partial month if the prorated benefits from the date of approval to the end of the month are \$10 or more. See BEM 556 (October 2024), p. 7. Based on an approval date of September 24, 2025, and seven days remaining in the month of September (including the approval date), Petitioner's prorated benefits, computed by multiplying her monthly FAP allotment of \$24 by the seven days remaining in the month and dividing that product by the 30 days in the month of September results in prorated benefits of less than \$10 for September. Therefore, MDHHS properly did not issue any FAP to Petitioner for September 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 processed Petitioner's [REDACTED] 2025 FAP application.

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

  
ALICE C. ELKIN  
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](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.

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**Via**

**Electronic Mail:**

**Respondent**

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