



Date Mailed: December 11, 2025
Docket No.: 25-034874
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [REDACTED]

This is an important legal document. Please have someone translate the document.

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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.

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Docket No.: 25-034874

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 November 20, 2025. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Brian Hines, Assistance Payments Supervisor.

ISSUE

Did the Department properly deny 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. On [REDACTED] 2025, the Department received an application for Medicaid (MA) from Petitioner for herself, [REDACTED] (Spouse), and their four children (Children). Petitioner requested retroactive coverage for herself, Spouse, and Children for May, June, and July 2025. Petitioner reported that she was employed during the school year by [REDACTED] (Employer) and Spouse was self-employed. (Exhibit A, pp. 8 – 17).
1. On August 12 and August 15, 2025, the Department sent Petitioner verification checklists (VCL) for MA that requested verification of the household's income, among other things. (Exhibit A, pp. 22 – 25).
2. On August 18, 2025, Petitioner began her employment through Employer as a long-term substitute teacher at [REDACTED] (School). (Exhibit A, p. 46).
3. On [REDACTED] 2025, the Department received an application for CDC from Petitioner. Petitioner reported that she was employed by Employer and Spouse was self-employed. (Exhibit A, pp. 28 – 35).

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4. On August 21 and August 25, 2025, the Department received verification of Spouse's income and Petitioner's offer of employment through Employer. Petitioner's offer of employment stated she would be paid \$[REDACTED] per day as a long-term substitute teacher at School. (Exhibit A, pp. 44 – 46, 56 – 57).
 5. On September 2, 2025, the Department interviewed Petitioner regarding her CDC application. Petitioner reported that she was employed by Employer and Spouse was self-employed. (Exhibit A, pp. 36 – 43).
 6. On September 5, 2025, the Department sent Petitioner a VCL that requested verification of how many hours Petitioner worked, and her income. (Exhibit A, pp. 26 – 27).
 7. On September 9 and September 10, 2025, the Department received:
 - a. A letter from Employer that confirmed Petitioner's employment,
 - b. Petitioner's first paycheck stub, dated September 5, 2025, for the pay period of August 17, 2025 to August 30, 2025, and
 - c. The 2025 – 2026 District School Calendar for School.(Exhibit A, pp. 54 – 55, 58 – 59).
 8. On September 17, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied Petitioner CDC effective August 10, 2025, for failure to provide requested verifications. (Exhibit A, pp. 60 – 61).
 9. On September 18, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) that:
 - a. Approved Petitioner and Spouse for Plan First Family Planning (PFFP) MA effective August 1, 2025 ongoing,
 - b. Approved three children for full coverage MA from May 1, 2025 to July 31, 2025,
 - c. Approved one child for full coverage MA from July 1, 2025 ongoing, and
 - d. Denied three children for MA effective August 1, 2025 ongoing for failure to provide requested verifications.(Exhibit A, pp. 64 – 68).
 10. On September 23, 2025, the Department received a request for hearing from Petitioner disputing the Department's denial of CDC assistance and MA coverage. (Exhibit A, pp. 5 – 7).

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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 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 the Department's denial of her request for CDC assistance and MA coverage. The Department denied Petitioner's CDC request because it concluded that Petitioner failed to return requested verifications.

As a preliminary matter, upon commencement of the hearing, Petitioner testified that her issue with regard to MA was resolved and withdrew that portion of her request for hearing. The Department had no objection to the withdrawal. Therefore, Petitioner's request for hearing regarding MA was dismissed and the hearing proceeded to address her dispute regarding CDC only.

The goal of the CDC program is to support low-income families by providing access to high-quality, affordable and accessible early learning and development opportunities and to assist the family in achieving economic independence and self-sufficiency. BEM 703 (October 2024), p. 1. At application or redetermination, the Department must thoroughly review all eligibility factors in the case, including verifying the client-parent's eligible need and all countable earned and unearned income available to the group. BAM 105 (June 2025), pp. 17 – 18; BAM 130 (May 2024), p. 1; BAM 210 (July 2025), p. 1; BEM 500 (April 2022), pp. 1, 13 – 14; BEM 702 (July 2025), pp. 1 – 2; BEM 703, pp. 1, 4, 11 – 12, 16 – 17.

To request verification of information, the Department sends a VCL which tells the client what verification is required, how to obtain it, and the due date. BEM 702, p. 1; BAM 130, p. 3. The client is responsible for obtaining any requested verifications needed to determine eligibility; however, the Department must assist clients who need and request help to obtain verifications. BEM 702, p. 1; BAM 130, p. 3. When a client applies for CDC, if the client refuses to provide the verification; or when the verification due date has passed, and the client has not made a reasonable effort to provide the requested documents, the Department sends a NOCA that denies the application. BAM 130, pp. 7

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– 8. However, the Department must give the client a reasonable opportunity to resolve any discrepancy between the client's statements and information from another source, before determining eligibility. BAM 130, p. 9.

In this case, Petitioner applied for MA and CDC in █████ 2025, and reported that Spouse was self-employed, she was employed by Employer an average of 30 hours per week and paid bi-weekly, and she had no other employment or income. (Exhibit A, pp. 15, 33). To determine her eligibility for MA, the Department requested verification of Petitioner's and Spouse's income on August 12 and August 15, 2025. To determine her eligibility for CDC, the Department requested verification of Petitioner's work schedule and income on September 5, 2025.

There was no dispute that on August 21 and August 25, 2025, Petitioner provided verification of Spouse's income, and the offer of employment she received which indicated that beginning August 18, 2025, she would be employed through Employer as a long-term substitute teacher at School and be paid \$████ per day. There was also no dispute that on September 9 and September 10, 2025, Petitioner provided a) a letter from Employer that confirmed her employment; b) her first paycheck stub, dated September 5, 2025, for the period of August 17 to August 30, 2025; and c) the 2025 – 2026 District School Calendar for School.

The Department denied Petitioner's application for CDC on September 17, 2025, for failure to provide required verifications. However, the Department testified that upon further review, it did not properly process the verifications provided by Petitioner when it denied her application for CDC. Therefore, based on the totality of the evidence and testimony, the Department failed to establish that it acted in accordance with policy when it denied Petitioner CDC assistance for failure to return verifications.

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 failed to satisfy its burden of showing that it acted in accordance with Department policy when it denied Petitioner's CDC application.

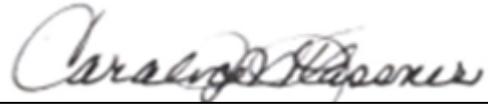
Accordingly, Petitioner's request for hearing as to MA is **DISMISSED**, and the Department's decision as to CDC is **REVERSED**.

TO THE EXTENT THAT IT HAS NOT ALREADY DONE SO, 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. Redetermine Petitioner's eligibility for CDC effective August 18, 2025;

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1. If Petitioner is eligible for CDC benefits, issue CDC benefits to Petitioner or her provider effective August 18, 2025 ongoing, in accordance with policy;
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
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MDHHS-KENT-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner
[REDACTED]
[REDACTED] MI [REDACTED]