



Date Mailed: December 5, 2025
Docket No.: 25-037736
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
[REDACTED]
[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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Docket No.: 25-037736

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On October 23, 2025, Petitioner [REDACTED] [REDACTED] requested a hearing to dispute a Food Assistance Program (FAP) benefit overpayment. As a result, a hearing was scheduled to be held on December 2, 2025. Public assistance hearings are held 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; 45 CFR 205.10; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared and represented herself. Respondent Michigan Department of Health and Human Services (Department) had Overpayment Establishment Analyst Krysenda Slayton appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 90-page packet of documents provided by the Department was admitted collectively as Exhibit A.

ISSUE

Did the Department properly determine that Petitioner owes the Department a debt of \$[REDACTED] for Food Assistance Program (FAP) benefits that were overpaid to her for the months of April 2025 through September 2025?

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 October [REDACTED] 2024, Petitioner applied to receive FAP benefits. In the application form that Petitioner submitted, Petitioner reported the following pertinent information:
 - a. Her sons, [REDACTED] and [REDACTED] were living in her home.
 - b. [REDACTED] birth date was January [REDACTED] 2007.
 - c. [REDACTED] birth date was November [REDACTED] 2005.
 - d. [REDACTED] was employed by [REDACTED].

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- e. Petitioner and [REDACTED] received income from Social Security RSDI.
- f. Petitioner and [REDACTED] purchased and prepared food separately from the household.
2. On October [REDACTED] 2024, the Department interviewed Petitioner to obtain additional information to determine Petitioner's FAP eligibility. Petitioner reported the following pertinent information:
- a. Her sons, [REDACTED] and [REDACTED] were living in her home.
- b. [REDACTED] has completed 11th grade.
- c. [REDACTED] was living in Petitioner's home 16 nights out of the month.
- d. [REDACTED] has completed 12th grade.
- e. [REDACTED] was living in Petitioner's home 14 nights out of the month.
- f. [REDACTED] was employed by [REDACTED]. [REDACTED] worked 35-40 hours per week, [REDACTED] rate of pay was \$[REDACTED] per hour, and [REDACTED] received pay biweekly.
- g. Petitioner was receiving \$[REDACTED] per month from Social Security RSDI.
- h. [REDACTED] was receiving \$[REDACTED] per month from Social Security RSDI.
- i. Petitioner was paying \$[REDACTED] per month for rent, Petitioner was responsible for paying for internet, and Petitioner was responsible for paying heating utilities.
3. On October [REDACTED] 2024, the Department mailed a notice of case action to Petitioner to notify her that she was approved for FAP benefits. The notice informed Petitioner that she was approved for a FAP benefit amount of \$[REDACTED] for a group size of two (Petitioner and [REDACTED] for October 3, 2024, through October 31, 2024. The notice informed Petitioner that she was approved for a FAP benefit amount of \$[REDACTED] per month for a group size of three (Petitioner, [REDACTED] and [REDACTED] thereafter. The notice of case action stated that Petitioner's FAP eligibility was determined based on the following information:
- a. Earned income of \$[REDACTED] per month
- b. Unearned income of \$[REDACTED] per month
- c. Standard deduction of \$204.00 per month
- d. Internet deduction of \$50.00 per month
- e. Medical expenses of \$[REDACTED] per month

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- f. Housing expense of \$ [REDACTED] per month
 - g. Heat/utility standard of \$664.00 per month
-
4. On November [REDACTED] 2024, [REDACTED] began working for [REDACTED] [REDACTED]
 5. On January [REDACTED] 2025, the Department received a new hire alert that notified the Department that [REDACTED] obtained employment at [REDACTED] [REDACTED] and the Department did not process the new hire alert.
 6. [REDACTED] received the following gross biweekly paychecks:
 - a. November 22, 2024, paid \$ [REDACTED]
 - b. December 6, 2024, paid \$ [REDACTED]
 - c. December 20, 2024, paid \$ [REDACTED]
 - d. January 3, 2025, paid \$ [REDACTED]
 - e. January 17, 2025, paid \$ [REDACTED]
 - f. January 31, 2025, paid \$ [REDACTED]
 - g. February 14, 2025, paid \$ [REDACTED]
 - h. February 28, 2025, paid \$ [REDACTED]
 - i. March 14, 2025, paid \$ [REDACTED]
 - j. March 28, 2025, paid \$ [REDACTED]
 - k. April 11, 2025, paid \$ [REDACTED]
 - l. April 25, 2025, paid \$ [REDACTED]
 - m. May 9, 2025, paid \$ [REDACTED]
 - n. May 23, 2025, paid \$ [REDACTED]
 - o. June 6, 2025, paid \$ [REDACTED]
 - p. June 20, 2025, paid \$ [REDACTED]
 - q. July 3, 2025, paid \$ [REDACTED]
 - r. July 18, 2025, paid \$ [REDACTED]

- s. August 1, 2025, paid \$ [REDACTED]
 - t. August 15, 2025, paid \$ [REDACTED]
 - u. August 29, 2025, paid \$ [REDACTED]
 - v. September 12, 2025, paid \$ [REDACTED]
 - w. September 26, 2025, paid \$ [REDACTED]
7. On April [REDACTED] 2025, the Department received a new hire alert that notified the Department that [REDACTED] obtained employment at [REDACTED] [REDACTED] and the Department did not process the new hire alert.
8. [REDACTED] was working at [REDACTED] [REDACTED] and he received the following gross biweekly paychecks:
- a. April 11, 2025, paid \$ [REDACTED]
 - b. April 25, 2025, paid \$ [REDACTED]
 - c. May 9, 2025, paid \$ [REDACTED]
 - d. May 23, 2025, paid \$ [REDACTED]
 - e. June 6, 2025, paid \$ [REDACTED]
 - f. June 20, 2025, paid \$ [REDACTED]
 - g. July 3, 2025, paid \$ [REDACTED]
 - h. July 18, 2025, paid \$ [REDACTED]
 - i. August 1, 2025, paid \$ [REDACTED]
 - j. August 15, 2025, paid \$ [REDACTED]
 - k. August 29, 2025, paid \$ [REDACTED]
 - l. September 12, 2025, paid \$ [REDACTED]
9. The Department issued FAP benefits to Petitioner without considering the income that [REDACTED] and [REDACTED] were earning from their employment.
10. The Department issued the following FAP benefits to Petitioner:
- a. \$ [REDACTED] for April 2025

- b. \$ [REDACTED] for May 2025
 - c. \$ [REDACTED] for June 2025
 - d. \$ [REDACTED] for July 2025
 - e. \$ [REDACTED] for August 2025
 - f. \$ [REDACTED] for September 2025
11. Subsequently, the Department discovered that it did not properly process [REDACTED] and [REDACTED] employment changes.
 12. The Department redetermined Petitioner's FAP eligibility, and the Department determined that Petitioner was ineligible for FAP benefits.
 13. On September [REDACTED] 2025, the Department mailed a notice of case action to Petitioner to notify her that she was no longer eligible for FAP benefits, effective October 1, 2025.
 14. The Department determined that it overpaid Petitioner due to the Department's error.
 15. The Department determined that it overpaid Petitioner \$ [REDACTED] in FAP benefits because it issued her a total of \$ [REDACTED] for the months of April 2025 through September 2025 when she was only eligible to receive \$ [REDACTED] in FAP benefits.
 16. On October [REDACTED] 2025, the Department mailed a notice of overissuance to Petitioner to notify her that the Department overpaid her \$ [REDACTED] in FAP benefits for the months of April 2025 through September 2025.
 17. Petitioner requested a hearing to dispute the overpayment.

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 Food Assistance Program (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.

In this case, the Department determined that it overpaid Petitioner \$ [REDACTED] in FAP benefits for the months of April 2025 through September 2025. When a client receives more benefits than she was entitled to receive, the Department must attempt to recoup the overpayment. BAM 700 (June 1, 2024), p. 1. The overpayment amount is the amount of benefits in excess of the amount the client was eligible to receive. *Id.* at 2.

The Department determined that it overpaid Petitioner because the Department did not properly budget [REDACTED] earned income from [REDACTED] [REDACTED] and the Department did not properly budget [REDACTED] earned income from [REDACTED] [REDACTED]. The Department acknowledged that the overpayment was due to the Department's error. The Department properly determined that the first month that was affected by the Department's error was March 2025 because the Department failed to act on a new hire report for [REDACTED] employment at [REDACTED] [REDACTED] when it was due on January 27, 2025. The Department had 10 days to act on the information, and the Department's negative action could not have taken effect until 12 days after the Department notified Petitioner of her FAP eligibility, so the first month that could have been affected would have been March 2025. However, the Department determined that it did not overpay Petitioner for the month of March.

In April 2025, [REDACTED] gross earnings were \$ [REDACTED]. However, [REDACTED] gross earnings must be converted to a standard amount. BAM 705 (June 1, 2024), p. 6. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 (June 1, 2025), pp. 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. [REDACTED] gross earnings were \$ [REDACTED]. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. Therefore, Petitioner's total household earned income was \$ [REDACTED]. Based on Petitioner's earned income of \$ [REDACTED], Petitioner's unearned income of \$ [REDACTED], Petitioner's housing cost of \$ [REDACTED] per month, a standard deduction, and a heat/utility standard, Petitioner's net income was \$ [REDACTED]. Based on Petitioner's net income and group size, Petitioner was eligible for a maximum FAP benefit of \$ [REDACTED]. The Department issued Petitioner \$ [REDACTED] in FAP benefits, so the Department overpaid Petitioner \$ [REDACTED].

In May 2025, [REDACTED] gross earnings were \$ [REDACTED]. However, [REDACTED] gross earnings must be converted to a standard amount. BAM 705 at 6. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. [REDACTED] gross earnings were \$ [REDACTED]. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. Therefore, Petitioner's total

household earned income was \$ [REDACTED]. Based on Petitioner's earned income of \$ [REDACTED], Petitioner's unearned income of \$ [REDACTED], Petitioner's housing cost of \$ [REDACTED] per month, a standard deduction, and a heat/utility standard, Petitioner's net income was \$ [REDACTED]. Based on Petitioner's net income and group size, Petitioner was ineligible for a FAP benefit. The Department issued Petitioner \$ [REDACTED] in FAP benefits, so the Department overpaid Petitioner \$ [REDACTED].

In June 2025, [REDACTED] gross earnings were \$ [REDACTED]. However, [REDACTED] gross earnings must be converted to a standard amount. BAM 705 at 6. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. [REDACTED] gross earnings were \$ [REDACTED]. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. Therefore, Petitioner's total household earned income was \$ [REDACTED]. Based on Petitioner's earned income of \$ [REDACTED], Petitioner's unearned income of \$ [REDACTED], Petitioner's housing cost of \$ [REDACTED] per month, a standard deduction, and a heat/utility standard, Petitioner's net income was \$ [REDACTED]. Based on Petitioner's net income and group size, Petitioner was ineligible for a FAP benefit. The Department issued Petitioner \$ [REDACTED] in FAP benefits, so the Department overpaid Petitioner \$ [REDACTED].

In July 2025, [REDACTED] gross earnings were \$ [REDACTED]. However, [REDACTED] gross earnings must be converted to a standard amount. BAM 705 at 6. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. [REDACTED] gross earnings were \$ [REDACTED]. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. Therefore, Petitioner's total household earned income was \$ [REDACTED]. Based on Petitioner's earned income of \$ [REDACTED], Petitioner's unearned income of \$ [REDACTED], Petitioner's housing cost of \$ [REDACTED] per month, a standard deduction, and a heat/utility standard, Petitioner's net income was \$ [REDACTED]. Based on Petitioner's net income and group size, Petitioner was ineligible for a FAP benefit. The Department issued Petitioner \$ [REDACTED] in FAP benefits, so the Department overpaid Petitioner \$ [REDACTED].

In August 2025, [REDACTED] gross earnings were \$ [REDACTED]. However, [REDACTED] gross earnings must be converted to a standard amount. BAM 705 at 6. [REDACTED] gross earnings were comprised of three paychecks, so [REDACTED] average pay was \$ [REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$ [REDACTED]. Camron's gross earnings were \$ [REDACTED]. [REDACTED] gross earnings were comprised of

three paychecks, so [REDACTED] average pay was \$[REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$[REDACTED]. Therefore, Petitioner's total household earned income was \$[REDACTED]. Based on Petitioner's earned income of \$[REDACTED], Petitioner's unearned income of \$[REDACTED], Petitioner's housing cost of \$[REDACTED] per month, a standard deduction, and a heat/utility standard, Petitioner's net income was \$[REDACTED]. Based on Petitioner's net income and group size, Petitioner was ineligible a FAP benefit. The Department issued Petitioner \$[REDACTED] in FAP benefits, so the Department overpaid Petitioner \$[REDACTED].

In September 2025, [REDACTED] gross earnings were \$[REDACTED]. However, [REDACTED] gross earnings must be converted to a standard amount. BAM 705 at 6. [REDACTED] gross earnings were comprised of two paychecks, so [REDACTED] average pay was \$[REDACTED]. [REDACTED] was paid biweekly, and biweekly pay is multiplied by 2.15 to convert it to a standard amount. BEM 505 at 8-9. Thus, [REDACTED] earned income was \$[REDACTED]. [REDACTED] gross earnings were \$[REDACTED]. [REDACTED] gross earnings were comprised of one paycheck, so [REDACTED] earned income was \$[REDACTED]. Therefore, Petitioner's total household earned income was \$[REDACTED]. Based on Petitioner's earned income of \$[REDACTED], Petitioner's unearned income of \$[REDACTED], Petitioner's housing cost of \$[REDACTED] per month, a standard deduction, and a heat/utility standard, Petitioner's net income was \$[REDACTED]. Based on Petitioner's net income and group size, Petitioner was ineligible a FAP benefit. The Department issued Petitioner \$[REDACTED] in FAP benefits, so the Department overpaid Petitioner \$[REDACTED].

The Department properly determined that it overpaid Petitioner \$[REDACTED] in FAP benefits. Although this overpayment was caused by the Department's error, the Department was still required to pursue Petitioner for the overpayment. A FAP overpayment that results from the Department's error must be pursued by the Department when the amount is greater than or equal to \$250.00. BAM 700 at 5 and BAM 705 (June 1, 2024), p. 1. The amount of the overpayment was greater than or equal to \$250.00. Thus, although Petitioner received an overpayment due to the Department's error, the Department acted in accordance with its policies when it pursued the overpayment.

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 its policies and the applicable law when it determined that it overpaid Petitioner \$ [REDACTED] in FAP benefits for the months of April 2025 through September 2025.

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



JEFFREY KEMM
ADMINISTRATIVE LAW JUDGE

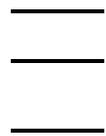
APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://rs.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.

25-037736



Via Electronic Mail:

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