



Date Mailed: November 25, 2025

Docket No.: 25-038188

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]
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Petitioner: [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 November 19, 2025. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Tabitha McFarland, specialist.

ISSUE

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

FINDINGS OF FACT

The administrative law judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of November 2024, Petitioner was an ongoing recipient of FAP benefits.
1. On November 4, 2024, MDHHS mailed Petitioner a FAP Redetermination form with due date of November 25, 2024. The Redetermination form also stated that Petitioner was not required to participate in an interview.
2. On September 19, 2025, MDHHS initiated termination of Petitioner's FAP eligibility beginning October 2025 due to Petitioner's failure to participate in an interview.
3. On October 16, 2025, Petitioner requested a hearing to dispute the termination of FAP benefits.

CONCLUSIONS OF LAW

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).

Petitioner requested a hearing to dispute a termination of FAP benefits. Exhibit A, pp. 3-5. A Notice of Case Action dated September 19, 2025, stated that Petitioner's FAP eligibility would end October 2025 due to a failure to meet interview requirements.¹ Exhibit A, pp. 18-22. MDHHS contended that the termination occurred as part of a FAP benefit redetermination from 2024.

For all programs, a complete redetermination is required at least every 12 months. BAM 210 (April 2025) p. 3. Bridges, the MDHHS database, automatically sends benefit recipients a DHS-1010, Redetermination form, three days prior to the negative action cut-off date in the month before the redetermination is due. *Id.*, p. 8. For FAP benefits, the redetermination process begins when the client files a DHS-1010 or other acceptable substitute form. *Id.*, p. 3.

Generally, MDHHS is to conduct a telephone interview at redetermination before determining ongoing eligibility for FAP benefits. *Id.* p. 5. However, FAP groups that have no earned income and in which all adult members are elderly or disabled do not require an interview at redetermination, unless the group requests an interview or if there are any outstanding issues or questions about the recertification process. *Id.* If the client misses the interview, MDHHS is to send a DHS-254, Notice of Missed Interview. *Id.* The group loses its right to uninterrupted FAP benefits if it fails to do any of the following: file the FAP redetermination by the timely filing date, participate in the scheduled interview, submit verifications timely if the due date is after the timely filing date. *Id.*, p. 21.

MDHHS mailed Petitioner a Redetermination form on November 4, 2024, stating that Petitioner was required to return the Redetermination form by November 25, 2024. Exhibit A, pp. 10-16. Much of the hearing was spent on whether Petitioner timely returned the Redetermination form to MDHHS. MDHHS alleged that Petitioner did not return the Redetermination form as of the hearing date. Petitioner testified that she remembers returning the form to MDHHS in 2024, in part, because she is reliable in returning required documents. Ultimately, whether Petitioner returned the Redetermination is irrelevant to determining whether MDHHS properly terminated Petitioner's FAP eligibility.

¹ The notice also stated that Petitioner did not meet program requirements and failed to verify information. Exhibit A, pp. 19. During the hearing, MDHHS did not allege these as valid reasons for FAP benefit termination.

Upon certification of eligibility results, MDHHS automatically notifies the client in writing of positive and negative actions by generating the appropriate notice of case action. BAM 220 (October 2025) p. 2. A Notice of Case Action must specify the following:

- The action taken by MDHHS
- The reason(s) for the action.
- The specific manual item which cites the legal base for an action or the regulation or law itself.
- An explanation of the right to request a hearing.
- The conditions for which benefits may be continued pending the hearing outcome.

The Redetermination form sent to Petitioner stated that an interview was not required for a benefit redetermination. The stated reason for benefit termination on the Notice of Case Action was Petitioner's alleged failure to participate in an interview. Because Petitioner did not have to participate in an interview, the stated reason for benefit termination on the benefit termination notice was improper. Thus, the corresponding benefit termination was also improper.

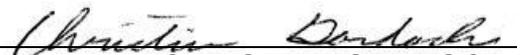
Given the evidence, MDHHS improperly terminated Petitioner's FAP eligibility beginning October 2025. As a remedy, Petitioner is entitled to FAP benefit reinstatement.²

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS improperly terminated Petitioner's FAP eligibility. It is ordered that MDHHS commence the following actions within 10 days of the date of mailing of this decision:

- (1) Reinstate Petitioner's FAP eligibility beginning October 2025 subject to the finding that Petitioner did not fail to participate in an interview; and
- (1) Issue notice and supplements, if any, in accordance with policy.

The actions taken by MDHHS are **REVERSED**.


CHRISTIAN GARDOCKI
ADMINISTRATIVE LAW JUDGE

² The issue of Petitioner's allegedly unreturned Redetermination form may resurrect if MDHHS terminates Petitioner's FAP eligibility following reinstatement. To avoid a future benefit termination based on an alleged failure to return a Redetermination form, Petitioner would need to submit to MDHHS a Redetermination form, application, or other acceptable document to allow MDHHS to redetermine Petitioner's benefit eligibility.

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.

Via Electronic Mail:

Respondent

WAYNE-GREENFIELD/JOY-DHHS

8655 GREENFIELD RD

DETROIT, MI 48228

MDHHS-WAYNE-17-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

[REDACTED]

[REDACTED]

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