



Date Mailed: November 20, 2025

Docket No.: 25-038195

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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HEARING DECISION

On October 6, 2025, Petitioner [REDACTED] requested a hearing to dispute a Family Independence Program (FIP) closure. As a result, a hearing was scheduled to be held on November 18, 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 Family Independence Manager Becky Fraser and PATH Career Counselor Gregory Morris appear as its representatives. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 45-page packet of documents provided by the Department was admitted into evidence collectively as Exhibit A.

ISSUE

Did the Department properly close Petitioner's FIP cash 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 May [REDACTED] 2025, Petitioner applied for FIP cash assistance.
2. On June [REDACTED] 2025, the Department issued a notice of case action that notified Petitioner that she was approved to receive FIP cash assistance, effective June 16, 2025.
3. As a recipient of FIP cash assistance, Petitioner was required to participate in employment and self-sufficiency-related activities.
4. Petitioner obtained employment at [REDACTED].

5. Petitioner's PATH career counselor instructed Petitioner to provide a copy of her paystub to prove that she was working.
6. On or about September █ 2025, Claimant quit her job at █.
█.
7. Petitioner failed to provide a copy of her paystub to prove that she was working, so the Department determined that Petitioner was non-compliant with employment and self-sufficiency related activities.
8. On September █ 2025, the Department issued a notice of case action that notified Petitioner that her FIP cash assistance was closed for three months, effective October 1, 2025, because Petitioner failed to participate in employment and/or self-sufficiency related activities. The Department also issued a notice of non-compliance that notified Petitioner that she was non-compliant because she did not participate in a required activity. The Department notified Petitioner that she was scheduled to meet with the Department on September █ 2025, to discuss her reason for non-compliance.
9. On September █ 2025, the Department met with Petitioner to discuss her reason for non-compliance, and the Department determined that Petitioner did not have good cause for her non-compliance. Petitioner asserted that she unsuccessfully attempted to obtain her paystub from her employer. The Department found that Petitioner's PATH career counselor gave Petitioner 30 days to turn in her paystub, and Petitioner failed to turn it in, so Petitioner did not have good cause.
10. Petitioner requested a hearing to dispute the Department's decision to close her FIP cash assistance.

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 Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and 42 USC 601 to 679c. The Department administers FIP pursuant to 45 CFR 233-260, MCL 400.10, the Social Welfare Act, MCL 400.1-119b, and Mich Admin Code, R 400.3101-.3131.

Petitioner is disputing the Department's decision to close her FIP cash assistance. The Department closed Petitioner's FIP cash assistance, effective October 1, 2025, because the Department determined that Petitioner failed to participate in employment and/or

self-sufficiency related activities. The issue here is whether the Department properly closed Petitioner's FIP cash assistance.

The Department requires FIP clients to participate in employment and self-sufficiency-related activities. BEM 233A (October 1, 2022), p. 1. The Department's focus is to assist clients in removing barriers so that they can participate in activities which lead to self-sufficiency. *Id.* There are consequences for clients who fail to participate in such activities without good cause. *Id.* A client who fails to participate in such activities is considered non-compliant. *Id.* at 2. A client who fails to provide legitimate documentation of work participation is non-compliant. *Id.* Based on the evidence presented, Petitioner's PATH career counselor instructed Petitioner to provide a copy of her paystub to prove that she was working, and Petitioner failed to provide it. Therefore, Petitioner failed to provide legitimate documentation of work participation. Accordingly, the Department properly determined that Petitioner was non-compliant.

Since Petitioner was non-compliant, the Department was required to impose a consequence on Petitioner unless she established that she had good cause. Good cause is a valid reason for non-compliance with employment and/or self-sufficiency related activities that is based on factors that are beyond the control of the non-compliant person. *Id.* at 4. Petitioner did not present sufficient evidence to establish that she had good cause for her non-compliance. Therefore, the Department properly determined that it was required to impose a consequence on Petitioner.

The Department is required to impose a consequence of case closure for no less than three months for a FIP recipient's first occurrence of non-compliance. *Id.* at 8. This was Petitioner's first occurrence of non-compliance. Thus, the Department acted in accordance with BEM 233A when it closed Petitioner's FIP cash assistance for three months. Therefore, the Department's decision is affirmed.

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 closed Petitioner's FIP cash assistance.

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://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

KENT COUNTY DHHS
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Via First Class Mail:

Petitioner

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