



**Date Mailed:** November 20, 2025

**Docket No.:** 25-038749

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

[REDACTED]

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**Case No.:** [REDACTED]  
**Petitioner:** [REDACTED]

### **HEARING DECISION**

On October 17, 2025, Petitioner [REDACTED] requested a hearing to dispute a Food Assistance Program (FAP) determination. 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 Assistance Payments Supervisor Dannial Rogers appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 19-page packet of documents provided by the Department was admitted into evidence collectively as Exhibit B. (The recording for Docket No. 25-038749 began at 48:30.)

### **ISSUE**

Did the Department properly determine Petitioner's FAP benefit amount?

### **FINDINGS OF FACT**

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Petitioner is a FAP benefit recipient.
2. Petitioner is a disabled individual.
3. On April [REDACTED] 2025, the Department interviewed Petitioner to redetermine her FAP eligibility for a new certification period. Petitioner reported that she no longer had a mortgage payment as she paid her home off. Petitioner also reported that she had medical expenses, including a monthly expense of \$[REDACTED] for bandages.
4. On April [REDACTED] 2025, the Department mailed a verification checklist to Petitioner to obtain additional information about her medical expenses to determine her FAP eligibility. The verification checklist instructed Petitioner to provide verification of her medical expenses to the Department by April 24, 2025.

5. The Department did not receive any verification from Petitioner by April █ 2025.
6. On April █ 2025, the Department issued a notice of case action to notify Petitioner that she was eligible for a FAP benefit of \$█ per month, effective May 1, 2025. The Department determined Petitioner's FAP benefit amount based on the following information:
  - a. Household size of one
  - b. \$█ per month in unearned income
  - c. \$204.00 per month for a standard deduction
  - d. \$█ per month for medical expenses
  - e. \$█ per month for housing costs
  - f. \$664.00 per month for a heat/utility standard
7. Subsequently, the Department discovered that it erroneously budgeted \$█ per month for Petitioner's housing costs. This amount included Petitioner's mortgage payment before Petitioner paid her home off. The Department redetermined Petitioner's housing cost based on her property taxes and insurance, and the Department determined that Petitioner's housing costs should only be \$█ per month.
8. On August █ 2025, the Department issued a notice of case action to notify Petitioner that she was eligible for a FAP benefit of \$█ per month, effective October 1, 2025. The Department determined Petitioner's FAP benefit amount based on the following information:
  - a. Household size of one
  - b. \$█ per month in unearned income
  - c. \$204.00 per month for a standard deduction
  - d. \$█ per month for medical expenses
  - e. \$█ per month for housing costs
  - f. \$664.00 per month for a heat/utility standard
9. Petitioner's current FAP benefit amount is \$█ per month.
10. Petitioner requested a hearing to dispute her FAP benefit amount.

## 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 decreased Petitioner's FAP benefit amount when the Department decreased Petitioner's budgeted housing costs. Petitioner is not disputing her housing costs. Petitioner is disputing her medical expenses. The issue is whether the Department properly determined Petitioner's FAP benefit amount.

A medical deduction is available to a senior or disabled client who has verified allowable medical expenses of more than \$35.00 in the benefit month. BEM 554 (August 1, 2025), pp. 9-14. In this case, the Department interviewed Petitioner, and Petitioner reported that she had medical expenses, so the Department issued a verification checklist to instruct Petitioner to provide verification of her medical expenses. Petitioner did not provide any verification of her medical expenses in response to the Department's verification checklist, so the Department did not budget any medical expenses when it determined her FAP eligibility. Accordingly, the Department properly budgeted \$ [REDACTED] for Petitioner's medical expenses.

The Department properly determined that Petitioner was eligible for a maximum FAP benefit amount of \$ [REDACTED] per month, effective October 1, 2025. The August [REDACTED] 2025, notice of case action stated that Petitioner was eligible for a FAP benefit amount of \$ [REDACTED] per month, effective October 1, 2025. However, this amount was based on the standard deduction and heat/utility standard that were in effect prior to October 1, 2025. At the time the Department issued the notice of case action, the standard deduction and heat/utility standard that were going to be effective October 1, 2025, were not available. Effective October 1, 2025, the standard deduction is \$209.00, and the heat/utility standard is \$682.00. RFT 255 (October 1, 2025). Based on Petitioner's group size of one, Petitioner's unearned income of \$ [REDACTED] Petitioner's standard deduction of \$209.00, Petitioner's housing costs of \$ [REDACTED] and Petitioner's heat/utility standard of \$682.00, Petitioner's net income is \$ [REDACTED] Petitioner is eligible for a maximum FAP benefit amount of \$ [REDACTED] per month based on her \$ [REDACTED] net income. RFT 260 (October 1, 2025), p. 8.

However, Petitioner's FAP benefit may increase when the Department redetermines Petitioner's FAP eligibility. Petitioner is in the process of reporting medical expenses to the Department, and those medical expenses may affect Petitioner's FAP benefit

amount. The Department will redetermine Petitioner's FAP eligibility based on her reported medical expenses if the Department determines that they are verified allowable medical expenses. Petitioner should continue to report her medical expenses to the Department as they are billed to Petitioner so that the Department can consider them when it determines Petitioner's FAP eligibility.

## **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 Petitioner's FAP benefit amount.

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



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**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](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.

**Via First Class-Electronic Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

**Via Electronic Mail:**

**Respondent**

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