

Date Mailed: December 15, 2025

Docket No.: 25-038919

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; 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 via telephone conference on December 10, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Danielle Moton, Eligibility Specialist.

ISSUE

Did the Department properly deny Petitioner's [REDACTED] 2025 application for Family Independence Program (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 [REDACTED] 2025, Petitioner applied for FIP.
2. On October 3, 2025, MDHHS sent Petitioner a Verification Checklist (VCL) requesting verification by October 13, 2025 of Petitioner's loss of employment for employer [REDACTED] (Employer) and school attendance records for her [REDACTED]-year-old child [REDACTED] (Child Z).
3. On October 15, 2025, MDHHS sent Petitioner a Notice of Case Action, notifying her that her FIP application was denied because she had lost employment without good cause within 30 days of the application date and she had failed to verify requested information. (Exhibit A, pp. 20-28)
4. On October 16, 2025, Petitioner uploaded Child Z's school attendance documents to her MDHHS electronic case file (ECF). (Exhibit A, p. 18)
5. On October 21, 2025, MDHHS received Petitioner's hearing request disputing the denial of her FIP application. (Exhibit A, pp. 3-5)

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 (formerly known as the Department of Human Services) 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 requested a hearing to dispute the denial of her [REDACTED] 2025 FIP application. At the hearing, MDHHS testified that Petitioner's subsequent October 21, 2025 FIP application was approved, and she had received FIP benefits from November 16 to November 30, 2025, when her case closed for employment-related reasons. Petitioner was advised that, based on her October 21, 2025 hearing request, the issue presented for the current hearing was limited to whether MDHHS properly denied the [REDACTED] 2025 FIP application, and if she disputed her FIP case closure, she should file a new hearing request.

Concerning the [REDACTED] 2025 application, MDHHS testified that it denied the application because Petitioner had failed to verify that her loss of employment within 30 days of the application was due to good cause and had failed to timely provide verification of Child Z's school attendance.

As a condition of FIP eligibility, dependent children between ages 6 and 18 must be full time students. BEM 245 (July 2025), p. 1. At application, MDHHS must verify a child's school enrollment and attendance beginning with age 7. BEM 245, p. 11. The client must obtain required verification, but the local office must assist if they need and request help. BEM 245, p. 3. Verifications are considered timely if received by the date they are due. BEM 245, p. 7. For FIP, if the client contacts MDHHS prior to the due date requesting an extension or assistance in obtaining verifications, MDHHS may grant an extension to the VCL due date. BEM 245, p. 7.

Here, MDHHS requested via the October 3, 2025 VCL verification from Petitioner by October 13, 2025 of Child Z's school attendance. Petitioner testified that she received the form from MDHHS and provided it to Child Z's school, but when she went to pick it up, the school receptionist told her they had misplaced it. Petitioner returned to the school on October 16, 2025 to pick up the completed form and uploaded it to her ECF that same day. Although Petitioner testified that the delay in providing the school attendance records was due to the school, she acknowledged that she was aware of the VCL due date and there was no evidence presented that she ever requested that the VCL due date be extended. Because Petitioner did not timely provide verification of

Child Z's school attendance or request extension of the VCL due date, MDHHS properly denied the application on this basis.

MDHHS testified that it also denied Petitioner's application based on her loss of employment without good cause within 30 days of the FIP application. Income that has stopped within 30 days prior to the application date or while the application is pending must be verified. BEM 505 (June 2025), p. 14. Work-eligible individuals (WEIs) who refuse suitable employment within 30 days of a FIP application or while the FIP application is pending must have benefits delayed. BEM 233A (October 2022), pp. 3, 7. Refusing suitable employment means voluntarily reducing hours or earnings, quitting a job for a reason other than starting new employment or participating in the PATH program, or being fired for misconduct or absenteeism. BEM 233A, p. 3. If a WEI refuses suitable employment without good cause up to 30 days before the FIP application date, the application can be approved for FIP benefits no earlier than the pay period following the pay period containing the 30th day after the refusal of employment. BEM 233A, p. 7.

Here, Petitioner argued that her employment with Employer was effectively terminated in August 2025 when she was no longer put on Employer's delivery schedule following her disclosure that she was pregnant. MDHHS received a letter from Employer that Petitioner acknowledged uploading to her ECF on October 5, 2025 that stated Petitioner's employment with Employer ended on September 1, 2025 due to her absenteeism. Following conversations with Petitioner disputing the reason and date for her end of employment, MDHHS collaterally contacted Employer and was informed again that Petitioner's employment ended September 1, 2025 and was due to absenteeism, not Petitioner's pregnancy. Petitioner testified that she last received a paycheck from Employer on September 18, 2025.

Based on information available to MDHHS, MDHHS could properly conclude that Petitioner's employment was terminated on September 1, 2025. Because Employer informed MDHHS that Petitioner's employment was due to absenteeism and Petitioner presented no evidence to establish that her absenteeism was tied to her pregnancy medical issues, Petitioner failed to show that she had good cause for her loss of employment. These circumstances resulted in Petitioner refusing suitable employment. While MDHHS argued that such circumstances supported denying the application, policy provides only for delaying benefits, not denying the application. Therefore, MDHHS could not rely on the loss of employment to support denial of the [REDACTED] 2025 FIP application. However, this error is harmless where MDHHS properly relied on Petitioner's failure to timely verify Child Z's school attendance in denying the application.

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 Department policy when it denied Petitioner's [REDACTED] 2025 FIP application due to failure to timely verify student attendance.

Accordingly, the Department's decision is **AFFIRMED**.

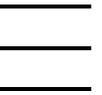

ALICE C. ELKIN
ADMINISTRATIVE LAW JUDGE

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.



Via Electronic Mail:

Respondent

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Via First Class Mail:

Petitioner

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