



Date Mailed: December 18, 2025
Docket No.: 25-039319
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED] MI [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.

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Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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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 November 26, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Amanda Boobyer, Assistance Payments Supervisor (APS).

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-42.

ISSUE

Did the Department properly determine eligibility for Medical Assistance (MA) and Food Assistance Program (FAP) benefits for Petitioner's household?

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 September 15, 2025, a Health Care Coverage Determination Notice was issued to Petitioner stating Petitioner and his wife were not eligible for the Medicare Savings Program (MSP) effective September 1, 2025, in part noting that this program was not applied for. (Exhibit A, unnumbered pages)
2. On October 20, 2025, Petitioner filed a hearing request contesting the Department's MA and FAP determinations. (Exhibit A, unnumbered pages)
3. On October 20, 2024, Petitioner submitted a Mid Certification Contact Notice for the FAP benefit case. Petitioner included verification of: Retirement, Survivors, and Disability Insurance (RSDI) benefit income and Medicare expense; the end of rental income; shelter expenses; and medical expenses. (Exhibit A, pp. 3-19)
4. On October 23, 2025, a Notice of Case Action was issued stating FAP benefits were approved in the amount of \$41.00 per month for November 2025 and December 1, 2025 through October 30, 2026. (Exhibit A, pp. 20-24)

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5. On October 28, 2025, the Department sent a Courtesy Letter to Petitioner requesting verification of additional medical expenses that were reported. (Exhibit A, pp. 25-26)
 6. On October 29, 2025, Petitioner submitted a bank statement and documentation of additional medical expenses. (Exhibit A, pp. 27-32)
 7. On October 29, 2025, a Notice of Case Action was issued to Petitioner stating FAP benefits were approved in the amount of \$195.00 per month for November 2025 and December 1, 2025 through October 30, 2026. (Exhibit A, pp. 33-38)

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).

MA

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. The Department (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

On September 15, 2025, a Health Care Coverage Determination Notice was issued to Petitioner stating Petitioner and his wife were not eligible for the Medicare Savings Program (MSP) effective September 1, 2025, in part noting that this program was not applied for. (Exhibit A, unnumbered pages). The APS explained that this is a system error and denial notices are being sent when there has been no application for the program.

It was not contested that Petitioner never applied for the MSP. (Petitioner disputed the listed household annual income listed on the notice. Exhibit A, unnumbered pages; Petitioner Testimony). However, the listed income was not the cause of the denial. While the denial was unnecessary, the determination that Petitioner and his wife were not eligible for the MSP was correct because they did not apply for the program.

FAP

The Food Assistance Program (FAP) [formerly known as the Food Stamp program] is established by the Food and Nutrition Act of 2008, as amended, 7 USC 2011 to 2036a

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and is implemented by the federal regulations contained in 7 CFR 273. The Department (formerly known as the Department of Human Services) administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011. The Department counts the gross unemployment benefit amount of Retirement, Survivors, and Disability Insurance (RSDI) as unearned income. BEM 503, October 1, 2025, p. 31.

For FAP, a shelter expense is allowed when the FAP group has a shelter expense or contributes to the shelter expense. BEM 554, (October 1, 2025), p. 15. The heat/utility (h/u) standard covers all heat and utility costs including cooling, except actual utility expenses, for example, installation fees etc. FAP groups that qualify for the h/u standard do not receive any other individual utility standards. FAP groups whose heat is included in their rent may still qualify for the h/u standard. Some additional ways include but are not limited to, receipt of the Home Heating Credit (HHC) or a Low Income Home Energy Assistance Payment (LIHEAP). The amount of either payment must be greater than \$20 in the month of application or in the immediately preceding 12 months prior to the application month. BEM 554, pp. 19-20. FAP groups who pay for cooling (including room air conditioners) are eligible for the h/u standard if, they have the responsibility to pay for non-heat electric. BEM 554 pp. 21-22. FAP groups not eligible for the h/u standard who have other utility expenses or contribute to the cost of other utility expenses are eligible for the individual utility standards. Use the individual standard for each utility the FAP group has responsibility to pay. BEM 554 p. 27.

The Department can also consider verified allowable medical expenses of a senior/disabled/veteran (SDV) member of the FAP group. BEM 554, pp. 9-14.

In this case, on October 20, 2024, Petitioner submitted a Mid Certification Contact Notice for the FAP benefit case. Petitioner included verification of: RSDI benefit income and Medicare expense; the end of rental income; shelter expenses; and medical expenses. (Exhibit A, pp. 3-19). On October 23, 2025, a Notice of Case Action was issued stating FAP benefits were approved in the amount of \$41.00 per month for November 2025 and December 1, 2025 through October 30, 2026. (Exhibit A, pp. 20-24).

On October 28, 2025, the Department sent a Courtesy Letter to Petitioner requesting verification of additional medical expenses that were reported. (Exhibit A, pp. 25-26). On October 29, 2025, Petitioner submitted a bank statement and documentation of additional medical expenses. (Exhibit A, pp. 27-32). On October 29, 2025, a Notice of Case Action was issued to Petitioner stating FAP benefits were approved in the amount of \$195.00 per month for November 2025 and December 1, 2025 through October 30, 2026. (Exhibit A, pp. 33-38).

The FAP budget was reviewed with Petitioner and the Department. No errors were identified. For example, Petitioner is receiving the full h/u standard and the shelter expense includes both base rent amount and the property tax. The evidence shows that the Department added considered medical expenses in the FAP eligibility determination

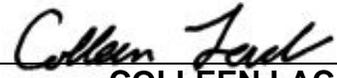
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as verifications were received. Petitioner was reminded to turn in verification of additional medical expenses, such as the Blue Cross insurance premium, so that it can be considered for determining ongoing eligibility for FAP benefits.

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 determined eligibility for MA and FAP benefits for Petitioner's household.

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



COLLEEN LACK
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

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Via Electronic Mail:

Respondent

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Via First Class Mail:

Petitioner

[REDACTED]
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