



**Date Mailed:** December 2, 2025

**Docket No.:** 25-039459

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

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

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### **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 was represented by household member Jayme Hessoun. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Alicia Seibenick, Overpayment Establishment Analyst. Department Exhibit 1, pp. 1-143 was received and admitted.

### **ISSUE**

Did the Department properly determine that Petitioner's received an overissuance of Food Assistance Program (FAP) benefits due to client error?

### **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 February [REDACTED] 2025, [REDACTED] [REDACTED] reported new employment income from [REDACTED]
2. On July [REDACTED] 2025, Petitioner submitted redetermination paperwork that showed a significant increase in household employment income.
3. On October [REDACTED] 2025, a Notice of Overissuance was sent to Petitioner alleging that he received an overissuance of \$[REDACTED] for the time period from May 1, 2025, through August 31, 2025, due to client error because employment income above the simplified reporting amount was not reported.
4. On October [REDACTED] 2025, Petitioner requested hearing disputing the determination of overissuance.
5. Petitioner and household member [REDACTED] [REDACTED] began receiving employment income over the simplified reporting amount in March 2025. (Ex. 1, p.14)

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## CONCLUSIONS OF LAW

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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) [formerly known as the Food Stamp program] 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 (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.

### **All Programs**

If a household receives benefits they are not eligible for, the adult(s) in the household must repay the extra benefits. The benefits must be repaid even if there was no fraud. This item explains client error (CE) processing and establishment. BAM 715

### **DEFINITIONS**

#### **Client Error**

A type of overpayment (OP) or underissuance resulting from inaccurate reporting on the part of the household. The establishment of a client error overpayment claim does not rule out the possibility of a future finding of intentional program violation. BAM 715

#### **Simplified Reporting**

##### **FAP Only**

The first month of overpayment is two months after the actual monthly household income exceeded the simplified reporting (SR) limit. BAM 715

In this case, Petitioner had household employment income well over the simplified reporting amount beginning in March 2025 and during the overissuance period. At hearing, household member ██████████ did not dispute the amount of employment income attributed to the household. The household had total income over \$5,000 for all the months in question including July 2025 when the total income for the household was ██████████. The simplified reporting amount for the household was \$██████████. The Department provided sufficient proof to establish that Petitioner received overissuance totaling \$██████████ for the time period from May 1, 2025, through August 31, 2025.

The only issue in dispute is whether the overissuance should be characterized as agency error or client error. ██████████ testified that she provided several updates to the Department regarding the household income and expressed frustration that she was not able to speak with a dedicated worker. Ms. ██████████ testified that she believed she satisfied her reporting duties.

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The Department provided a case comment summary that has an entry for February 2025, " reported she started working at as of 2.16.25. client works 35 hours per week paid \$ per hour- first check was partial check was received on 2.27.25". (Ex. 2, p.3) There were no other case comments that reflected that Petitioner or any other household member notified the Department or provided check stubs between February 25, 2025, and July 6, 2025, showing the increase in employment income over the simplified reporting amount. Therefore, the determination of overissuance due to client error was proper and correct and consistent with Department policy. BAM 715

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## DECISION AND ORDER

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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 that Petitioner received an overissuance of FAP benefits totaling \$█████ due to client error for the time period from May 1, 2025, through August 31, 2025.

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



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**AARON MCCLINTIC**  
**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](https://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](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

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25-039459



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