

**Date Mailed:** December 23, 2025

**Docket No.:** 25-040152

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Christian Gardocki**

### **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; 42 CFR 438.400 to 438.424; 45 CFR 99.1 to 99.33; and 45 CFR 205.10; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held via Microsoft Teams on December 18, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Markita Allen, specialist.

### **ISSUES**

The first issue is whether Petitioner timely requested a hearing to dispute a termination of Family Independence Program (FIP) benefits and a subsequent denial of Family Independence Program (FIP) benefits.

The second issue is whether MDHHS properly denied Petitioner's FIP benefit application.

### **FINDINGS OF FACT**

The administrative law judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of April 2025, Petitioner was an ongoing recipient of FIP benefits.
2. On May 20, 2025, MDHHS mailed Petitioner notice of FIP benefit termination beginning July 2025. MDHHS additionally imposed against Petitioner an employment-related disqualification from July through December 2025.
3. On [REDACTED] 2025, Petitioner applied for FIP benefits.
4. On July 22, 2025, MDHHS denied Petitioner's application due to the previously imposed employment-related disqualification.
5. On [REDACTED] 2025, Petitioner reapplied for FIP benefits.

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6. On September 18, 2025, MDHHS denied Petitioner's application due to Petitioner being disqualified.
  7. On ██████████ 2025, Petitioner reapplied for FIP benefits.
  8. On November 3, 2025, Petitioner requested a hearing to dispute the termination of FIP benefits beginning July 2025 and FIP application denials dated July 22, 2025, and September 18, 2025.

### **CONCLUSIONS OF LAW**

The 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. MDHHS administers FIP pursuant to 45 CFR 233to 45 CFR 261; MCL 400.10; the Social Welfare Act, MCL 400.1 *et seq.*; and Mich Admin Code, R 400.3101 to R 400.3131. FIP policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing on November 3, 2025, to dispute FIP eligibility. Exhibit A, pp. 5-7. Petitioner's testimony implied a dispute, in part, over a termination of FIP benefits beginning July 2025 and the denial of a FIP application dated ██████████ 2025. A Notice of Case Action dated May 20, 2025, stated that Petitioner's FIP eligibility would end July 2025 due to non-compliance by Petitioner in performing employment-related activities. Exhibit A, pp. 15-19. The notice additionally informed Petitioner of an employment-related disqualification from July through December 2025. The disqualification resulted in a denial dated July 22, 2025, of Petitioner's FIP application dated ██████████ 2025.

A request for hearing must be received in the MDHHS office within 90 days of the date of the written notice of case action in dispute. BAM 600 (July 2025) p. 2. Generally, a request for hearing must be in writing and signed by an adult member of the eligible group, adult child, or authorized hearing representative (AHR).<sup>1</sup> *Id.*, p. 6.

Petitioner requested a hearing 167 days after MDHHS sent notice of FIP benefit termination beginning July 2025. Petitioner requested a hearing 104 days after MDHHS sent notice of denial of Petitioner's FIP application dated ██████████ 2025.

Petitioner's testimony implied she should be excused from the tardy hearing requests. Petitioner testified she suffers from various disabling issues such as a closed head injury, vision loss, memory loss, sleep apnea, back pain, leg pain, and a history of multiple strokes. Petitioner also testified she was frequently hospitalized from May 2025 to the present. Petitioner's testimony was not corroborated by hospital documents. Petitioner's testimony also did not explain how she was able to reapply for FIP benefits in July 2025 but unable to request a hearing disputing the earlier benefit termination.

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<sup>1</sup> Hearings disputing Food Assistance Program benefits may be made orally. BAM 600 (June 2024) p. 2

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Given the evidence, Petitioner's hearing request was untimely concerning the FIP benefit termination and denial of Petitioner's FIP application dated [REDACTED] 2025. Accordingly, Petitioner's hearing request will be dismissed concerning those two disputes.

Petitioner also requested a hearing to dispute the denial of a FIP application dated [REDACTED] 2025. MDHHS testified that Petitioner's application was denied the same date due to Petitioner being disqualified from receiving FIP benefits from July through December 2025.<sup>2</sup>

MDHHS requires clients to participate in employment and self-sufficiency-related activities and to accept employment when offered. BEM 233A (October 2022) p. 1. The focus is to assist clients in removing barriers so they can participate in activities which lead to self-sufficiency. *Id.* However, there are consequences for a client who refuses to participate without good cause. *Id.* The penalty for employment-related noncompliance without good cause is FIP benefit closure. *Id.*, p. 8. For the individual's second occurrence of noncompliance, MDHHS closes the FIP benefits for not less than six calendar months. *Id.*

As stated above, MDHHS imposed a six-month employment-related disqualification against Petitioner from July through December 2025.<sup>3</sup> Consideration of whether Petitioner was noncompliant or had good cause for noncompliance need not be considered because Petitioner's hearing request was untimely. Because Petitioner was disqualified from receiving FIP benefits, MDHHS properly denied Petitioner's FIP application dated [REDACTED] 2025.

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<sup>2</sup> Petitioner reapplied for FIP benefits on [REDACTED] 2025. Exhibit A, pp. 32-38. MDHHS testified that Petitioner's application was denied on November 4, 2025, due to Petitioner failing to verify information. Because the action taken by MDHHS occurred after Petitioner's hearing request, it could not have been the subject of Petitioner's hearing request. Petitioner may separately request a hearing to dispute the denial of her application dated [REDACTED] 2025.

<sup>3</sup> MDHHS testified the disqualification was not applied to Petitioner's application dated [REDACTED] 2025, because it was thought that Petitioner's noncompliance was from May through October 2025.

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**DECISION AND ORDER**

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that Petitioner failed to timely dispute a termination of FIP benefits beginning July 2025 and a denial of a FIP benefit application dated ██████ 2025. Concerning the termination of FIP benefits beginning July 2025 and the denial of Petitioner's FIP application dated ██████ 2025, Petitioner's hearing request is **DISMISSED**.

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly denied Petitioner's application for FIP benefits dated ██████ 2025. The actions taken by MDHHS are **AFFIRMED**.



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**CHRISTIAN GARDOCKI**  
**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://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.

