



Date Mailed: January 5, 2026
Docket No.: 25-040529
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [REDACTED]

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এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

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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; 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 hearing was held by telephone on December 18, 2025. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Jesse Swartz, Hearing Facilitator and Eligibility Specialist.

ISSUE

Did the Department properly deny Petitioner Family Independence Program (FIP) cash assistance due to excess income?

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, the Department received an application from Petitioner for FIP benefits for herself and her daughter (Child). Petitioner reported that there was no income in her household. (Exhibit A, pp. 5 – 11).
1. On October 10, 2025, the Department interviewed Petitioner. Petitioner reported that she, Child, and Child's father, [REDACTED] (LTP) lived in the household; and that LTP had two jobs. (Exhibit A, pp. 12 – 19, 21; p. 44, Serial No. 18).
2. On October 10, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied her application for FIP benefits, effective November 1, 2025, due to excess income. (Exhibit A, pp. 20 – 23).
3. On October 16 and October 21, 2025, the Department received paycheck stubs for LTP for his employment with [REDACTED]. (Employer 1) and [REDACTED]. (Employer 2). The paycheck stubs reflected that LTP:
 - a. Earned \$ [REDACTED] to \$ [REDACTED] per hour and worked an average of 36 hours per week for Employer 1, and
 - b. Earned \$ [REDACTED] per hour and worked 24 to 31 hours bi-weekly for Employer 2.

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(Exhibit A, pp. 24 – 31).

4. On [REDACTED] 2025, the Department received a second application for FIP benefits from Petitioner. (Exhibit A, p. 44, Serial No. 24).
5. On October 27, 2025, the Department sent Petitioner a second NOCA that denied her FIP benefits, effective November 16, 2025, due to excess income. (Exhibit A, pp. 32 – 36).
6. On October 28, 2025, the Department received an unsigned request for hearing from Petitioner disputing the Department's denial of her application for FIP benefits. (Exhibit A, pp. 3, 37).

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.

In this case, Petitioner requested a hearing to dispute the Department's denial of her application for FIP benefits. The Department denied Petitioner FIP benefits due to excess income.

As a preliminary matter, there was no dispute that Petitioner did not sign her request for hearing as required by policy. BAM 600 (July 2025), p. 2. However, because the Department agreed to waive the signature requirement in the instant case, Petitioner was advised of the signature requirement for any future hearing requests, and the hearing proceeded on the merits.

To be eligible for FIP benefits, the certified group must: (i) include a dependent child, and (ii) be in financial need pursuant to the Qualifying Deficit Test. BEM 210 (July 2021), p. 1; BEM 518 (July 2023), pp. 1 – 2; BEM 515 (February 2024), p. 1. For FIP, the certified group in a case such as Petitioner's, includes the dependent child and their parents who live together. BEM 210, pp. 5 – 6.

The Qualifying Deficit Test applies at application and requires the Department to compare the certified group's (a) budgetable income, using the qualifying earned income disregard, for the income month to (b) the certified group's payment standard for

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the application month. BEM 518, p. 3. The payment standard is the maximum benefit amount that can be received by the certified group and is determined by the group's size. BEM 515, p. 1.

To determine the qualifying earned income disregard, the Department starts with each certified group member's countable earnings and first deducts \$200, and then deducts 20% of the remaining amount. BEM 500 (April 2022), p. 3; BEM 501 (October 2025), pp. 1 – 9; BEM 505 (June 2025), pp. 1, 3 – 4, 6; BEM 518, pp. 1, 5. The certified group's budgetable income is the amount remaining after the qualifying earned income disregard. BEM 5118, p. 3. The certified group meets the Qualifying Deficit Test if the group's budgetable income is at least \$1 less than the group's payment standard; if it is not, the group is ineligible for FIP benefits. BEM 518, p. 2.

Here, there is no dispute that Petitioner, LTP, and the Child live together and that the Child is a dependent of both Petitioner and LTP. Therefore, Petitioner has a certified group of three. BEM 210, pp. 5 – 6; BEM 515, p. 1. Because there was no evidence that anyone in Petitioner's group was an ineligible grantee, the payment standard for Petitioner's three-person group was \$583. BEM 515, p. 1; RFT 210 (January 2025), pp. 1 – 2.

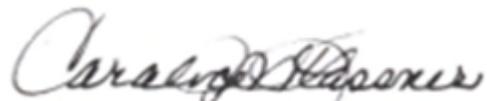
Although the Department did not introduce a budget in support of its eligibility determination, it testified that it determined LTP's countable income was \$ [REDACTED] and, after application of the qualifying earned income disregard, that his budgetable income was \$ [REDACTED]. Petitioner did not dispute the Department's calculations, and a review of the evidence established that the Department's testimony was consistent with the paystubs Petitioner submitted for LTP.

Because Petitioner's group's budgetable income of \$ [REDACTED] was more than her group's payment standard of \$583, she was not eligible for FIP benefits. Therefore, the Department properly determined that Petitioner had excess income and was ineligible for FIP 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 denied Petitioner's application for FIP benefits due to excess income.

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



**CARALYCE M. LASSNER
ADMINISTRATIVE LAW JUDGE**

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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://irs.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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