



Date Mailed: December 10, 2025
Docket No.: 25-040742
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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

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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] | [REDACTED]

HEARING DECISION

On September 9, 2025, Petitioner [REDACTED] [REDACTED] requested a hearing to dispute a Family Independence Program (FIP) closure. As a result, a hearing was scheduled to be held on December 9, 2025. Public assistance hearings are held 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; 45 CFR 205.10; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared and represented himself. Respondent Michigan Department of Health and Human Services (Department) had Family Independence Manager Krista Hainey and Employment and Training Coordinator Holly Chiddister appear as its representatives. There were no other participants.

Both parties provided sworn testimony, and two exhibits were admitted into evidence. A 21-page packet of documents provided by the Department was admitted into evidence collectively as Exhibit A, and an audio recording provided by Petitioner was admitted into evidence as Exhibit 1.

ISSUE

Did the Department properly close Petitioner's 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 February [REDACTED] 2025, Petitioner applied for FIP cash assistance.
2. The Department approved Petitioner to receive FIP cash assistance, and the Department deferred Petitioner's requirement to participate in employment and self-sufficiency-related activities because Petitioner provided sufficient proof that he was disabled.
3. The Department referred Petitioner to Michigan Works upon the expiration of his disability, and Petitioner claimed that he was still disabled and could not work, so the Department required Petitioner to provide new proof that he was disabled.

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4. On July █ 2025, the Department spoke with Petitioner and notified him that he had to submit new proof that he was disabled because the duration of his disability in the proof that he previously provided had lapsed.
 5. On July █ 2025, the Department mailed a medical needs form to Petitioner.
 6. Petitioner did not return the medical needs form (or any other written statement from a medical provider) to the Department within 10 days.
 7. On August █ 2025, the Department mailed a notice of case action to Petitioner to notify Petitioner that his FIP cash assistance was closed, effective September 1, 2025, because Petitioner failed to verify information necessary to determine his eligibility.
 8. On August █ 2025, Petitioner returned the medical needs form completed by his medical provider.
 9. The Department reviewed the medical needs form that Petitioner returned; the Department determined that it was unacceptable because it did not state how long Petitioner would be unable to work, and it did not state the last date the medical provider saw Petitioner.
 10. The Department did not contact Petitioner about the medical needs form that he returned to the Department.
 11. Petitioner requested a hearing to dispute the Department's decision to close his FIP cash assistance.

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 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 is disputing the Department's decision to close his FIP cash assistance. The Department closed Petitioner's FIP cash assistance, effective September 1, 2025, because the Department determined that Petitioner failed to verify information

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necessary to determine his eligibility. The issue here is whether the Department properly closed Petitioner's FIP cash assistance.

The Department requires FIP clients to participate in employment and self-sufficiency-related activities. BEM 233A (October 1, 2022), p. 1. The Department's focus is to assist clients in removing barriers so that they can participate in activities which lead to self-sufficiency. *Id.* The Department may temporarily defer the requirement for FIP clients to participate in employment and self-sufficiency-related activities. BEM 230A (October 1, 2022), p. 7. The Department may defer the requirement for up to three months for a FIP client with a short-term disability. *Id.* at 11. A short-term disability is one that is expected to last less than three months. *Id.* The Department must verify a short-term disability with a medical needs form or another written statement from a medical provider. *Id.* The Department may defer the requirement for a FIP client with a long-term disability. *Id.* The Department must refer a FIP client to Disability Determination Services if the FIP client claims a disability lasting more than three months, and the Disability Determination Services will determine whether the FIP client is disabled.

In this case, the Department initially deferred Petitioner due to a verified short-term disability. The Department referred Petitioner to Michigan Works when Petitioner's deferral expired, and Petitioner asserted that he was still disabled and could not work, so the Department required Petitioner to provide new proof that he was disabled. The Department then closed Petitioner's FIP cash assistance, effective September 1, 2025, because the Department determined that Petitioner did not verify information necessary to determine his eligibility. Subsequently, Petitioner provided a new medical needs form as proof that he was disabled, but the Department determined that it was unacceptable because it did not state how long Petitioner would be unable to work, and it did not state the date the medical provider last saw Petitioner.

When a FIP client fails to provide verification of a deferral, the Department is required to refer the FIP client to PATH. *Id.* at 7. In this case, the Department closed Petitioner's FIP cash assistance when Petitioner failed to provide acceptable verification of a deferral. The Department did not act in accordance with BEM 230A because the Department did not refer Petitioner to PATH when Petitioner failed to provide acceptable verification of his deferral. Therefore, the Department's decision is reversed. The Department must reinstate Petitioner's FIP cash assistance, effective September 1, 2025, and the Department must refer Petitioner to PATH.

The Department properly determined that the medical needs form that Petitioner returned on August [REDACTED] 2025, was unacceptable verification of Petitioner's disability. The medical needs form was unacceptable because it did not state the duration of Petitioner's disability, which is necessary for the Department to process a disability-related deferral. Since Petitioner failed to provide verification of a deferral, the Department must refer Petitioner to PATH.

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 did not act in accordance with its policies and the applicable law when it closed Petitioner's FIP cash assistance.

IT IS ORDERED that the Department's decision is **REVERSED**. The Department must reinstate Petitioner's FIP cash assistance, effective September 1, 2025, and the Department must refer Petitioner to PATH. The Department must begin to implement this order within 10 days of the mailing date of this hearing decision.



JEFFREY KEMM
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

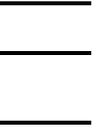
- by email to MOAHR-BSD-Support@michigan.gov, **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to
Michigan Office of Administrative Hearings and Rules
Rehearing/Reconsideration Request
P.O. Box 30639
Lansing Michigan 48909-8139

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