

Date Mailed: December 12, 2025

Docket No.: 25-040913

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 10, 2025. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Shana Powell, specialist.

ISSUE

The issue is whether MDHHS properly terminated Petitioner's Food Assistance Program (FAP) eligibility.

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 September 2025, Petitioner was an ongoing FAP benefit recipient with a benefit period certified through October 2025.
2. On September 2, 2025, MDHHS mailed Petitioner a Semi-Annual Contact Report (SACR) to be completed and returned by September 22, 2025.
3. On October 10, 2025, MDHHS mailed Petitioner a Notice of Food Assistance (FAP) Closure warning that Petitioner's FAP eligibility would end October 31, 2025, due to Petitioner not returning a SACR.
4. As of October 31, 2025, Petitioner had not completed and returned a SACR to MDHHS.
5. On November 7, 2025, Petitioner submitted to MDHHS a completed SACR.
6. On November 7, 2025, Petitioner requested a hearing to dispute the termination of FAP benefits.

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CONCLUSIONS OF LAW

The 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. MDHHS administers the FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011. MA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing to dispute a termination of FAP benefits beginning November 2025. Exhibit A, pp. 4-6. MDHHS contended that Petitioner's FAP eligibility properly ended October 31, 2025, due to Petitioner's failure to timely return a SACR.

For all programs, a complete redetermination is required at least every 12 months. BAM 210 (April 2025) p. 3. For FAP benefits, a complete SACR must be submitted by groups with countable earnings and a 12-month benefit period. *Id.*, p. 11. Bridges, the MDHHS database, automatically sends an SACR at the beginning of the fifth month for cases assigned a 12-month benefit period. *Id.*, If MDHHS does not register the SACR as received by the 10th day of the sixth month, a Notice of Food Assistance (FAP) Closure is mailed to the client explaining that the SACR and all required verifications must be returned by the last day of the month, or the case will close. *Id.*, p. 12. If the SACR is not received by the last working day of the redetermination month, MDHHS is to close the FAP case without further notice to the client. *Id.*

MDHHS mailed a SACR to Petitioner on September 2, 2025, stating a due date of September 22, 2025. Exhibit A, pp. 8-12. MDHHS testified it did not receive Petitioner's SACR which resulted in a mailing of the Notice of Food Assistance (FAP) Closure on October 10, 2025, stating that Petitioner's FAP eligibility would end October 31, 2025, due to Petitioner not returning a SACR. Exhibit A, pp. 13-14. MDHHS further testified it did not receive an SACR from Petitioner until November 7, 2025: after Petitioner's FAP eligibility ended. Exhibit A, pp. 16-18. Thus, MDHHS contended, Petitioner's FAP eligibility was properly closed.

Petitioner testified that she completed and mailed the SACR to MDHHS on September 16, 2025. Petitioner also testified that she called MDHHS on October 16, 2025, after receiving the notice warning of FAP closure, but could not remember with whom she spoke. MDHHS responded that Petitioner's telephone call was not documented in the form of a comment associated with Respondent's case; thereby implying it did not receive a call from Petitioner.

Petitioner understandably had no corroboration for her mailing. During the hearing, Petitioner was given an opportunity to verify her telephone call to MDHHS but was unable to corroborate her testimony with phone records.

The evidence established that MDHHS properly requested a SACR from Petitioner. The evidence did not establish that Petitioner returned an SACR to MDHHS before

November 2025. Thus, MDHHS properly ended Petitioner's FAP eligibility beginning November 2025.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly terminated Petitioner's FAP eligibility beginning November 2025. The actions taken by MDHHS are **AFFIRMED**.



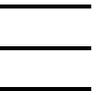
CHRISTIAN GARDOCKI
ADMINISTRATIVE LAW JUDGE

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. 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.



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