



Date Mailed: December 19, 2025
Docket No.: 25-041289
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED] MI [REDACTED]

This is an important legal document. Please have someone translate the document.

هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

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

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

这是一份重要的法律文件。请让别人翻译文件。

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

Date Mailed: December 19, 2025

Docket No.: 25-041289

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 11, 2025. Petitioner appeared and was represented by their Authorized Hearing Representative (AHR), [REDACTED]. The Department of Health and Human Services (Department) was represented by Jenee Murray, Hearing Facilitator.

ISSUE

Did the Department properly close Petitioner Food Assistance Program (FAP) case for failure to provide verifications?

Did the Department properly close Petitioner's Medicaid (MA) case for failure to provide verifications?

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 multiple occasions, the Department has engaged the services of an Arabic interpreter to communicate with Petitioner during telephone calls and in-person meetings. (Exhibit A, p. 44, Serial No. 95, 102, 106).
1. On September 16, 2025, the Department received a completed redetermination application for FAP benefits from Petitioner for himself, his wife (Spouse), and their three children (Children), including [REDACTED] (HG). Petitioner did not report any changes in household income and confirmed that he was employed at [REDACTED] (Employer) and Spouse was employed at [REDACTED] (JPT). Petitioner also provided two check stubs from Employer and a bank account statement for the period of July 25 to August 25, 2025, for Chase account ending [REDACTED]. (Exhibit A, pp. 8 – 11, 20 – 25).
2. On October 6, 2025, the Department interviewed Petitioner. Petitioner reported that he worked for Employer 20 hours per week, earned \$ [REDACTED] per hour, and was paid bi-weekly. Petitioner also reported that Spouse worked for JPT 20 hours per

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week, earned \$[REDACTED] per hour, and was paid bi-weekly. Petitioner reported no other income. (Exhibit A, pp. 12 – 19).

3. On October 6, 2025, the Department sent Petitioner a Verification Checklist (VCL) that requested verification of unknown income by October 16, 2025. (Exhibit A, pp. 26 – 27).
4. On October 6, 2025, the Department generated a Verification of Assets form addressed to [REDACTED] but did not list an address. (Exhibit A, pp. 29 – 30).
5. On October 8, 2025, the Department received a telephone call from Petitioner's Authorized Representative (AR) regarding the VCL sent to Petitioner and requesting clarification of the verifications requested. The Department noted that it requested Petitioner's last six months of bank statements and information regarding deposits into Petitioner's bank account. (Exhibit A, p. 44, Serial No. 94; p. 45, Serial No. 93).
6. On November 3, 2025, the Department contacted Petitioner by telephone. The Department noted that Petitioner reported that the cash deposits into his bank account were from his paychecks and joint income tax refunds; and that it was not able to confirm that Petitioner was advised that his last six months of bank statements were required. (Exhibit A, p. 44, Serial No. 95).
7. On November 3, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that closed Petitioner's FAP case effective November 1, 2025, for failure to provide verification of unknown income for Petitioner. (Exhibit A, pp. 35 – 36).
8. On November 3, 2025, the Department sent Petitioner a Health Care Coverage Determination Notice (HCCDN) that closed Petitioner's, Spouse's, and HG's MA for Petitioner's failure to provide verification of unknown income. (Exhibit A, pp. 40 – 41).
9. On November 12, 2025, the Department received a request for hearing from Petitioner disputing the Department's closure of his FAP and MA cases. (Exhibit A, pp. 5 – 7).

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 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

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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.

The Medical Assistance (MA) program is established by Title XIX of the Social Security Act, 42 USC 1396-1396w-5; 42 USC 1315; the Affordable Care Act of 2010, the collective term for the Patient Protection and Affordable Care Act, Pub. L. No. 111-148, as amended by the Health Care and Education Reconciliation Act of 2010, Pub. L. No. 111-152; and 42 CFR 430.10-.25. The Department (formerly known as the Department of Human Services) administers the MA program pursuant to 42 CFR 435, MCL 400.10, and MCL 400.105-.112k.

In this case, Petitioner requested a hearing to dispute the Department's closure of his FAP and MA cases. The Department closed Petitioner's FAP case effective November 1, 2025; and Petitioner's, Spouse's, and HG's MA case effective December 1, 2025; for failure to return verification of Petitioner's unknown income.

To request verification of information, the Department is to send the client a VCL which tells the client what verification is required, how to obtain it, and the due date. BAM 130, (May 2024), p. 3. The Department must assist clients who need and request help to obtain verifications. BAM 130, p. 3; BAM 210 (July 2025), p. 1. If there is a discrepancy between a client's statements and available documents or information, the Department must give the client an opportunity to resolve the discrepancy before closing the client's case for failure to provide requested verification. BAM 130, p. 9. The Department must show particular sensitivity to clients who are illiterate, disabled, or not fluent in English. BAM 105 (June 2025), p. 14. When the client refuses to provide the verification or when the verification due date has passed, and the client has not made a reasonable effort to provide the requested documents, the Department sends a notice to the client denying the requested assistance or closing the client's case. BAM 130, pp. 7 – 9.

Here, Petitioner was due for a redetermination of his FAP eligibility for continuation of his benefits starting November 1, 2025, and was interviewed by the Department on October 6, 2025. Petitioner reported that he and Spouse remained employed with their respective employers and that there was no other income in the household. The Department did not record any comments regarding additional or unknown income on its interview guide. (Exhibit A, pp. 16 – 17). However, following the interview, the Department sent Petitioner a VCL that requested verification of unknown income for Petitioner. The VCL did not include any additional details or notes regarding the unknown income it requested Petitioner to verify.

The Department explained that it sent the VCL because it noted multiple deposits into Petitioner's bank account that did not reconcile with the income information Petitioner reported to the Department. The Department testified that it verbally informed Petitioner

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that it required copies of his last six months of bank statements and additional information regarding the cash deposits reflected on Petitioner's bank statement. The evidence established that the Department verbally informed Petitioner's AR of the specific verification required on October 8, 2025, and Petitioner himself on November 3, 2025. (Exhibit A, p. 44, Serial No. 94, 95). However, there was no evidence that the Department sent Petitioner a VCL or other written correspondence that requested his last six months of bank statements at any time. Therefore, the Department failed to establish that it told Petitioner what verification was required, how to obtain it, and the due date in accordance with policy (BAM 130, p. 3); and before it closed Petitioner's FAP and MA cases for failure to provide verifications.

DECISION AND ORDER

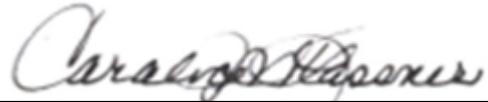
The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department did not act in accordance with Department policy when it closed Petitioner's FAP and MA cases for failure to provide verifications.

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

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Redetermine Petitioner's eligibility for FAP benefits effective November 1, 2025, requesting additional verifications, and providing Petitioner assistance to obtain such verifications, if necessary;
1. If Petitioner is eligible for FAP benefits, issue supplemental benefits to him for any FAP benefits he was eligible to receive but did not, effective November 1, 2025;
2. Redetermine Petitioner, Spouse, and HG's MA eligibility effective December 1, 2025, requesting additional verifications, and providing Petitioner assistance to obtain such verifications, if necessary;
3. If eligible, provide Petitioner, Spouse, and HG with the most beneficial MA coverage they are each eligible to receive effective December 1, 2025; and

4. Notify Petitioner of its decision in writing.



CARALYCE M. LASSNER
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://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, **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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Via Electronic Mail:

Respondent

MACOMB COUNTY DHHS STERLING HTS DIST 36
41227 MOUND RD STE A
STERLING HTS, MI 48314
MDHHS-MACOMB-36-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED] MI [REDACTED]

Authorized Hearing Rep

[REDACTED]
[REDACTED] MI [REDACTED]