



Date Mailed: December 18, 2025
Docket No.: 25-041910
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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

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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Docket No.: 25-041910

Case No.: [REDACTED]

Petitioner: [REDACTED] [REDACTED]

HEARING DECISION

On November 12, 2025, Petitioner [REDACTED] [REDACTED] requested a hearing to dispute a Food Assistance Program (FAP) determination. As a result, a hearing was scheduled to be held on December 16, 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 herself. Respondent Michigan Department of Health and Human Services (Department) had Eligibility Specialist Emily Williamson appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 29-page packet of documents provided by the Department was admitted into evidence collectively as Exhibit A.

ISSUE

Did the Department properly deny Petitioner's application for FAP benefits?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Petitioner was a FAP benefit recipient, and the Department closed Petitioner's FAP benefits because Petitioner's household received lottery/gambling winnings that caused Petitioner's household to exceed the asset limit.
2. On November [REDACTED] 2025, Petitioner reapplied for FAP benefits. In Petitioner's application, Petitioner reported that her household did not have any income or assets.
3. On November [REDACTED] 2025, the Department interviewed Petitioner to obtain additional information to determine her FAP eligibility. Petitioner reported that she spent all the lottery/gambling winnings to pay bills and rent. Petitioner reported that Petitioner and her spouse both had Cash App accounts with \$0.00 balances.

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Petitioner informed the Department that she would provide copies of the Cash App statements to the Department.

4. On November █ 2025, the Department mailed a verification checklist to Petitioner to obtain additional information to determine her FAP eligibility. The verification checklist instructed Petitioner to provide current bank statements for accounts for everyone living in Petitioner's household. The verification checklist instructed Petitioner to provide the documents to the Department by November 23, 2025. The verification checklist instructed Petitioner to contact the Department if she had any problems getting the documents for the Department.
5. Petitioner provided the Department with her current Cash App statement, but Petitioner did not provide the Department with her spouse's current Cash App statement. Petitioner did not contact the Department for help getting her spouse's current Cash App statement.
6. On December █ 2025, the Department mailed a notice of case action to Petitioner to notify her that her application for FAP benefits was denied because she did not provide verification as instructed.
7. Petitioner requested a hearing to dispute the Department's decision.

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) 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. The Department administers FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011.

In this case, the Department denied Petitioner's application for FAP benefits because the Department determined that Petitioner did not provide verification as instructed. Petitioner is disputing the Department's decision. Thus, the issue is whether the Department properly denied Petitioner's application for FAP benefits for failing to provide verification.

Verification is usually required at application/redetermination and for a reported change affecting eligibility. BAM 130 (May 1, 2024), p. 1. The Department must tell the client what verification is required, how to obtain it, and the due date. *Id.* at 3. The client must obtain required verification, but the local office must assist if the client needs help and requests it. *Id.* The Department must give the client 10 days to provide the requested

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verification. *Id.* at 7. Verifications are considered timely if received by the due date. *Id.* The Department must send a negative action notice when (1) the client refuses to provide the requested verification or (2) the client has failed to make a reasonable effort to provide the verification by the due date. *Id.*

Based on the evidence presented, the Department properly instructed Petitioner to provide current bank statements for accounts for everyone living in Petitioner's household. The Department told Petitioner what verification was required, how to obtain it, and the due date. It was Petitioner's responsibility to obtain the verification. Although Petitioner provided her current Cash App statement, Petitioner did not provide her spouse's current Cash App statement, so Petitioner did not provide current bank statements for everyone living in Petitioner's household. Thus, Petitioner did not obtain the verification as instructed, and Petitioner did not present sufficient evidence to establish that she made a reasonable effort to provide it.

Since Petitioner did not provide the verification as instructed, and since Petitioner did not establish that she made a reasonable effort to provide it by the due date, the Department was required to send a negative action notice to Petitioner, which meant that the Department was required to notify Petitioner that her request for FAP benefits was denied. Thus, the Department acted in accordance with BAM 130 when it denied Petitioner's request for FAP benefits. Therefore, the Department's decision is affirmed.

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 its policies and the applicable law when it denied Petitioner's application for FAP benefits.

IT IS ORDERED that the Department's decision is **AFFIRMED**.



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://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.

Via Electronic Mail:

Respondent
WASHTENAW COUNTY DHHS
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YPSILANTI, MI 48198
**MDHHS-WASHTENAW-
HEARINGS@MICHIGAN.GOV**

Via First Class Mail:

Petitioner

