

Date Mailed: December 22, 2025

Docket No.: 25-042578

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On November 24, 2025, Petitioner [REDACTED] requested a hearing to dispute Petitioner's Food Assistance Program (FAP) benefit amount beginning December 1, 2025. As a result, a hearing was scheduled to be held on December 17, 2025, pursuant to MCL 400.9, 7 CFR 273.15, and Mich Admin Code, R 792.11002. Petitioner appeared at the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Jessica Downing, Assistance Payments Supervisor.

A 31-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

ISSUE

Did the Department properly determine Petitioner's FAP benefit amount beginning December 1, 2025?

FINDINGS OF FACT

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

1. Prior to the November 18, 2025, Notice of Case Action, Petitioner received \$994.00 in FAP benefits based on a household size of 4.
2. On October 23, 2025, Petitioner submitted a redetermination.
3. On November 4, 2025, the Department received employment verification showing that Petitioner was earning [REDACTED] per hour and being paid weekly.
4. On November 18, 2025, Petitioner completed an interview with the Department and reported that Petitioner was employed at [REDACTED]. Petitioner reported that the paychecks with overtime were not reflective of ongoing income. Therefore, the Department did not use the paychecks with overtime in Petitioner's FAP budget. No other household employment or income was reported.
5. On November 18, 2025, the Department mailed a Notice of Case Action to Petitioner notifying Petitioner that Petitioner was approved for \$411.00 per month

from December 1, 2025, to November 30, 2026, based on earned income of [REDACTED]

6. On November 24, 2025, Petitioner requested a hearing to dispute Petitioner's FAP benefit amount beginning December 1, 2025.

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 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. 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.

In this case, Petitioner received \$994.00 in FAP benefits prior to the Department's issuance of the November 18, 2025, Notice of Case Action approving Petitioner for \$411.00 per month in FAP benefits from December 1, 2025, to November 30, 2026. Petitioner refuted the Department's calculation of Petitioner's FAP benefits beginning December 1, 2025, because the Department's determination was unclear as to how Petitioner's income was calculated as Petitioner did not have any changes in income.

The Department's hearing summary included Petitioner's November 24, 2025, request for hearing, redetermination documentation, and employment verification. However, the Department submitted incomplete documentation and did not show they properly calculated Petitioner's FAP benefit amount beginning December 1, 2025. Accordingly, the Department failed to meet its burden of going forward and establishing that it properly determined Petitioner's FAP benefit amount beginning December 1, 2025.

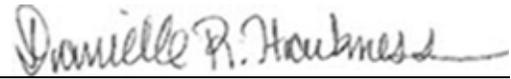
DECISION AND ORDER

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 failed to establish that it properly determined Petitioner's FAP benefit amount beginning December 1, 2025.

IT IS ORDERED that 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:

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1. Redetermine Petitioner's eligibility for FAP benefits beginning December 1, 2025.
 2. Issue any FAP benefits that Petitioner is otherwise eligible to receive.



DANIELLE R. HARKNESS
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

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
CRAWFORD COUNTY DHHS
2450 S I-75 BUSINESS LOOP
GRAYLING, MI 49738
**MDHHS-CRAWFORD-
HEARINGS@MICHIGAN.GOV**

Via First Class Mail:

Petitioner
[REDACTED]
[REDACTED] MI [REDACTED]