



**Date Mailed:** December 30, 2025  
**Docket No.:** 25-042590  
**Case No.:** [REDACTED]  
**Petitioner:** [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 30, 2025

**Docket No.:** 25-042590

**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; 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 via telephone conference on December 17, 2025. Petitioner was represented by [REDACTED], mother and Authorized Hearing Representative (AHR). The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Rachel Meade, Hearing Coordinator (HC).

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-25.

### **ISSUE**

Did the Department properly determine Petitioner's eligibility for Food Assistance Program (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 receiving FAP benefits in the amount of \$219.00 per month. (Exhibit A, Hearing Summary and pp. 6-9)
2. On October 29, 2025, a Notice of Case Action was issued to Petitioner stating the FAP benefits would decrease to \$217.00 per month effective December 1, 2025. This reduction was based on the elimination of the internet expense pursuant to a policy change. (Exhibit A, Hearing Summary and pp. 1-5 and 10-12)
3. On November 12, 2025, a hearing request was filed on Petitioner's behalf contesting the Department's determination. Documentation of utility bills and property taxes were included. (Exhibit A, unnumbered pages and 13-18)
4. The property tax expense was updated based on the recent tax bills. (Exhibit A, Hearing Summary and 19-20)

- 
5. On November 24, 2024, a Notice of Case Action was issued to Petitioner stating the FAP benefit would decrease to \$195.00 per month effective January 1, 2026 based on the updated shelter expense. (Exhibit A, Hearing Summary and pp. 21-25)
- 

### **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 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 Department counts the gross benefit amount of Retirement, Survivors, and Disability Insurance (RSDI) as unearned income. BEM 503, October 1, 2025, p. 31. The Department counts the gross benefit amount of current Supplemental Security Income (SSI) as unearned income. BEM 503, October 1, 2025, p. 36.

For FAP, a shelter expense is allowed when the FAP group has a shelter expense or contributes to the shelter expense. BEM 554, (November 1, 2025), p. 15. The heat/utility (h/u) standard covers all heat and utility costs including cooling, except actual utility expenses, for example, installation fees etc. FAP groups that qualify for the h/u standard do not receive any other individual utility standards. FAP groups whose heat is included in their rent may still qualify for the h/u standard. Some additional ways include but are not limited to, receipt of the Home Heating Credit (HHC) or a Low Income Home Energy Assistance Payment (LIHEAP). The amount of either payment must be greater than \$20 in the month of application or in the immediately preceding 12 months prior to the application month. BEM 554, pp. 19-20. FAP groups who pay for cooling (including room air conditioners) are eligible for the h/u standard if, they have the responsibility to pay for non-heat electric. BEM 554 pp. 21-22. FAP groups not eligible for the h/u standard who have other utility expenses or contribute to the cost of other utility expenses are eligible for the individual utility standards. Use the individual standard for each utility the FAP group has responsibility to pay. BEM 554 p. 27.

The FAP allowable expenses briefly included an internet expense. BEM 554, August 1, 2025, pp. 30-31. The internet expense was removed from the BEM 554 policy that went into effect October 1, 2025. BEM 554, October 1, 2025, p. 30.

In this case, on October 29, 2025, a Notice of Case Action was issued to Petitioner stating the FAP benefit would decrease to \$217.00 per month effective December 1, 2025. This reduction was based on the elimination of the internet expense.

25-042590

(Exhibit A, Hearing Summary and pp. 1-5 and 10-12). Petitioner's AHR noted that it was not clear from the Notice that the decrease was due to elimination of the internet expense. (AHR Testimony). The reason listed on the Notice indicated a change with the shelter deduction due to a change with shelter expense or income. (Exhibit A, p. 9). It was not clear from the templated language on the Notice that the specific change was the elimination of the internet expense. However, the Department properly re-determined Petitioner's eligibility for FAP benefits due to the policy change removing the internet expense.

On November 12, 2025, a hearing request was filed on Petitioner's behalf contesting the Department's determination. Documentation of utility bills and property taxes was included. (Exhibit A, unnumbered pages and 13-18). The Department updated Petitioner's property tax expense based on the recent tax bills. (Exhibit A, Hearing Summary and 19-20). This resulted in a further reduction of the FAP benefit amount. On November 24, 2024, a Notice of Case Action was issued to Petitioner stating the FAP benefit would decrease to \$195.00 per month effective January 1, 2026. (Exhibit A, Hearing Summary and pp. 21-25). As discussed during the hearing, when the Department received new verification of the shelter expense, they were required to update the expense in the FAP budget. It was also discussed during the hearing that the reason the budget summary on the Notice does not show Petitioner having individual utility expenses included in the FAP budget is because Petitioner is eligible for the full h/u standard. (HC Testimony). Pursuant to the BEM 554 policy, FAP groups that qualify for the h/u standard do not receive any other individual utility standards.

Overall, the evidence shows that the Department properly re-determined Petitioner's eligibility for FAP benefits when the internet expense was eliminated by policy and when updated verification of the shelter expense was submitted.

### **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 Department policy when it determined Petitioner's eligibility for FAP benefits.

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



---

**COLLEEN LACK**  
**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](mailto: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**

JACKSON COUNTY DHHS  
301 E LOUIS GLICK HWY  
JACKSON, MI 49201

**MDHHS-JACKSON-HEARINGS@MICHIGAN.GOV**

**Via First Class Mail:**

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]

**AUTHORIZED HEARING REP**

[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]