



Date Mailed: February 2, 2026
Docket No.: 25-046557
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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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.: 25-046557

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 January 29, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Michael Butler, Family Independence Manager.

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 an ongoing recipient of FAP benefits.
2. On October [REDACTED] 2025, the Department sent Petitioner the FAP redetermination packet. The FAP redetermination indicated that the FAP interview date and time was November [REDACTED] 2025 between 3:30 PM and 5:30 PM. Exhibit A, pp. 17-21.
3. On October [REDACTED] 2025, the Department received Petitioner’s FAP redetermination signed October [REDACTED] 2025. Exhibit A, pp. 17-21.
4. On November [REDACTED] 2025, the Department did not contact Petitioner for the FAP interview.
5. On November [REDACTED] 2025, the Department sent Petitioner an appointment notice for a rescheduled FAP interview for November [REDACTED] 2025.
6. On November [REDACTED] 2025, the Department did not contact Petitioner for the rescheduled FAP interview.
7. The Department did not send a Notice of Missed Interview.

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8. On December █ 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that informed Petitioner her FAP benefits closed effective December 1, 2025 ongoing for failing to complete the FAP interview. Exhibit A, pp. 5-9.
 9. On December 8, 2025, the Department received Petitioner's request for hearing that disputed the closure of her FAP benefits for failing to complete the FAP interview. Exhibit A, p. 4.

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).

Petitioner's request for hearing disputed FAP and Medicaid (MA). At the commencement of the hearing, Petitioner indicated that she did not have a dispute regarding MA and withdrew that portion of the hearing request. The portion of the request for hearing that disputed MA is **DISMISSED**. The hearing proceeded regarding Petitioner's FAP dispute.

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.

In this case, Petitioner disputed the Department's closure of her FAP case for failing to participate in the redetermination interview.

The Department must periodically redetermine or renew an individual's eligibility for active programs. The redetermination process includes a thorough review of all eligibility factors. BAM 210 (February 2025), p. 1. FAP benefits stop at the end of the benefit period unless a redetermination is completed, and a new benefit period is certified. BAM 210, p. 4. For FAP, the Department is required to conduct a telephone interview at redetermination before determining ongoing eligibility. BAM 210, p. 6. An interview is required before denying a redetermination even if it is clear from the MDHHS-1010 or MDHHS-1171 or other sources that the group is ineligible. BAM 210, p. 5. The individual interviewed may be the client, the client's spouse, any other responsible member of the group or the client's authorized representative. BAM 210, p. 6. If the client misses the interview, the Department sends a DHS-254, Notice of Missed Interview. *Id.* The FAP group loses its right to uninterrupted FAP benefits it fails to participate in the scheduled interview. BAM 210, p. 21. Benefits stop at the end of the

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benefit period unless a redetermination is completed, and a new benefit period is certified. BAM 210, p. 3.

Here, the redetermination packet notified Petitioner that her redetermination interview was scheduled for November █ 2025. The Department acknowledged that it did not call Petitioner for the FAP interview on November █ 2025. The Department testified that on November █ 2025, it sent Petitioner a notice that her FAP interview would be conducted on November █ 2025. However, the Department never contacted Petitioner on November █ 2025. The Department did not send Petitioner a Notice of Missed Interview. On December 1, 2025, the Department closed Petitioner's FAP case for failing to complete the redetermination interview.

Based on the evidence and testimony presented, the Department scheduled two FAP interviews with Petitioner but never conducted either interview. The Department did not send Petitioner a Notice of Missed Interview and then closed her FAP case. Because policy requires that the Department conduct the scheduled FAP interview and issue a notice if an interview is missed, the Department did not act in accordance with Department policy when it closed Petitioner's FAP case for failing to complete the interview.

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 determined Petitioner's eligibility for FAP benefits.

DECISION AND ORDER

Accordingly, Petitioner's hearing request regarding **MA** is **DISMISSED** based on Petitioner's hearing request withdrawal.

The Department's decision regarding **FAP** 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. Reprocess Petitioner's FAP redetermination dated October █ 2025;
2. If Petitioner is eligible for FAP benefits, supplement Petitioner for FAP benefits she is eligible to receive from December 1, 2025 ongoing; and

3. Notify Petitioner in writing of its decision.



JULIA NORTON
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
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Via First Class Mail:

Petitioner

