

Michigan Office of Administrative Hearings and Rules  
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DETROIT, MI 48228

**Date Mailed:** February 17, 2026  
**Docket No.:** 25-048609  
**Case No.:** 102660364  
**Petitioner:** ██████████

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

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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.

**Date Mailed:** February 17, 2026

**Docket No.:** 25-048609

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Christian Gardocki**

**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 telephone hearing was held via Microsoft Teams on February 12, 2026. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Tabatha McFarland, specialist.

**ISSUE**

The issue is whether MDHHS properly terminated Petitioner's Food Assistance Program (FAP) eligibility.

**FINDINGS OF FACT**

The administrative law judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of October 2025, Petitioner was an ongoing FAP benefit recipient with a benefit period certified through November 2025.
1. On October 1, 2025, MDHHS mailed Petitioner a Mid-Certification Contact Notice (MCCN) form with a return due date of October 21, 2025.
2. On October 21, 2025, the United States Postal Service (USPS) returned to MDHHS the MCCN mailed to Petitioner as undeliverable.
3. On November 10, 2025, MDHHS mailed Petitioner a Notice of Food Assistance (FAP) Closure form warning that FAP benefits would end beginning December 2025 due to Petitioner not returning the MCCN.
4. On December 1, 2025, Petitioner's FAP benefit case was closed.
5. As of December 1, 2025, MDHHS had not received Petitioner's MCCN.

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6. On December 19, 2025, Petitioner requested a hearing to dispute the termination of FAP benefits.
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### **CONCLUSIONS OF LAW**

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. MDHHS administers the FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011. MA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing to dispute a termination of FAP benefits. Exhibit A, p. 3. A Notice of Food Assistance (FAP) Closure form dated November 10, 2025, warned that Petitioner's FAP eligibility would end beginning December 2025 due to Petitioner's failure to return a MCCN.

For all programs, a complete redetermination is required at least every 12 months. BAM 210 (July 2025) p. 3. The MDHHS database sends a DHS-2240-A, Mid-Certification Contact Notice (MCCN), for groups assigned a 24-month FAP benefit period during the 11th month of their benefit period. *Id.*, p. 11. If the MCCN is not logged by the 10th day of the 12<sup>th</sup> month, the MDHHS database will generate a DHS-2240B, a Notice of Food Assistance (FAP) Closure, to the client. *Id.*, p. 13. This reminder notice explains that the client must return the DHS-2240A and all required verifications by the last day of the month, or the FAP case will close. *Id.*, pp. 13-14.

MDHHS mailed Petitioner a MCCN on October 1, 2025. Exhibit A, pp. 10-12. Petitioner's due date to return the MCCN was October 21, 2025. The MCCN also warned that if it was not completed and returned to MDHHS by November 30, 2025, that Petitioner's FAP benefit case would close. The MCCN included Petitioner's correct mailing address, as verified during the hearing.

Petitioner testified she did not return the MCCN only because she did not receive it. Petitioner's testimony was consistent with the evidence. The MCCN mailed to Petitioner was returned to MDHHS on October 21, 2025. Exhibit A, pp. 6-7. The return sticker stated that the USPS was "unable to forward". *Id.*

MDHHS followed up by requesting verification of Petitioner's address. Petitioner complied with MDHHS's verification request by submitting identification on November 10, 2025. Exhibit A, p. 3. However, Petitioner did not resolve the requirement of returning to MDHHS a completed MCCN. Petitioner should have been aware of the requirement after MDHHS mailed Petitioner a Notice of Food Assistance (FAP) Closure form on November 10, 2025. Exhibit A, pp. 13-14. The form specifically warned that Petitioner's FAP benefits would end at the end of the month due to Petitioner not returning the MCCN.

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The evidence suggested that Petitioner mistakenly concluded that the verification of mailing address satisfied her procedural obligations. However, MDHHS documented that Petitioner called on December 16, 2025, and was told that her FAP case closed due to a failure to return the MCCN. In response, Petitioner requested a hearing rather than reapplying or returning a MCCN.

The evidence established that Petitioner failed to timely return to MDHHS a properly mailed MCCN. The evidence also established that MDHHS followed its procedures in closing Petitioner's FAP case. Thus, MDHHS properly terminated Petitioner's FAP eligibility beginning December 2025.

**DECISION AND ORDER**

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly terminated Petitioner's FAP eligibility beginning December 2025. The actions taken by MDHHS are **AFFIRMED**.

\_\_\_\_\_ *Christian Gardocki*

**CHRISTIAN GARDOCKI  
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](http://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://irs.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**

WAYNE-GREENFIELD/JOY-DHHS

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DETROIT, MI 48228

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**Via First Class Mail:**

**Petitioner**

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