

ISSUE

Did the Department properly determine Petitioner's eligibility for Child Development and Care (CDC) 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. On October 16, 2025, Petitioner submitted a Redetermination for the CDC case. Petitioner's husband was listed as a household member and as the father of children in the home. Petitioner noted that her husband was "technically un-housed, seeking apartment." Petitioner noted that her husband was sleeping on their couch until he gets housing. He lived with his girlfriend through July 2025, briefly lived in his vehicle, then Petitioner allowed him to sleep on their couch. No income was reported for Petitioner's husband and it was reported he was frequently unemployed. (Exhibit A, pp. 8-15)
2. On October 17, 2025, a Verification Checklist was issued requesting: verification of income for Petitioner's husband (unknown income, Benedict's Auto, American Legion, veterans compensation); CDC need for family preservation; updated earned income at redetermination; and updated unearned income at redetermination with a due date of October 27, 2025. (Exhibit A, pp. 17-20)
3. On October 24, 2025 a Verification Checklist was issued requesting verification of income for Petitioner's husband (veterans compensation), with a due date of November 3, 2025. (Exhibit A, pp. 21-22)
4. On October 24, 2025, the Department noted that they still needed proof of Petitioner's husband's Veterans Administration benefits, but updated proof of income was returned. The Department utilized checks dated October 9, 2025 and October 2, 2025. (Exhibit A, p. 16)
5. On November 14, 2025, the Department noted that proof of all income was received. (Exhibit A, p. 16)
6. On November 14, 2025, a Notice of Case Action was issued denying CDC effective November 30, 2025 based on gross income exceeding program limits. (Exhibit A, pp. 25-29)
7. On December 9, 2025, Petitioner requested a hearing contesting the Department's determination. (Exhibit A, pp. 4-6)

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 Child Development and Care (CDC) program is established by Titles IVA, IVE and XX of the Social Security Act, 42 USC 601-619, 670-679c, and 1397-1397m-5; the Child Care and Development Block Grant of 1990, PL 101-508, 42 USC 9858 to 9858q; and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, PL 104-193. The program is implemented by 45 CFR 98.1-99.33. The Department administers the program pursuant to MCL 400.10 and provides services to adults and children pursuant to MCL 400.14(1) and Mich Admin Code, R 400.5001-.5020.

When CDC is requested for a child, each of the following persons who live together must be in the program group:

- Each child for whom care is requested.
- Each child's legal and/or biological parent(s) or stepparent.
- Each child's unmarried, under age 18, sibling(s), stepsiblings or half sibling(s).
- The parent(s) or stepparent of any of the above sibling(s).
- Any other unmarried child(ren) under age 18 whose parent, stepparent or legal guardian is a member of the program group.

BEM 205, October 1, 2024, pp. 1-2.

In this case, on October 16, 2025, Petitioner submitted a Redetermination for the CDC case. Petitioner's husband was listed as a household member and as the father of children in the home. Petitioner noted that her husband was "technically un-housed, seeking apartment." Petitioner noted that her husband was sleeping on their couch until he gets housing. He lived with his girlfriend through July 2025, briefly lived in his vehicle, then Petitioner allowed him to sleep on their couch. No income was reported for Petitioner's husband and it was reported he was frequently unemployed. (Exhibit A, pp. 8-15). Accordingly, it was uncontested that at that time, Petitioner's husband was living in the home. Further, Petitioner's husband was the father of children in the home. Pursuant to the BEM 205 policy, Petitioner's husband was a mandatory CDC group member.

The Department properly requested verification of Petitioner's husband's income and considered his income when determining CDC eligibility. On October 17, 2025, a Verification Checklist was issued requesting: verification of income for Petitioner's husband (unknown income, Benedict's Auto, American Legion, veterans compensation); CDC need for family preservation; updated earned income at redetermination; and updated unearned income at redetermination with a due date of October 27, 2025.

(Exhibit A, pp. 17-20). On October 24, 2025 a Verification Checklist was issued requesting verification of income for Petitioner's husband (veterans compensation), with a due date of November 3, 2025. (Exhibit A, pp. 21-22). On October 24, 2025, the Department noted that they still needed proof of Petitioner's husband's Veterans Administration benefits, but updated proof of income was returned. The Department utilized checks dated October 9, 2025 and October 2, 2025. (Exhibit A, p. 16). On November 14, 2025, the Department noted that proof of all income was received. (Exhibit A, p. 16). On November 14, 2025, a Notice of Case Action was issued denying CDC effective November 30, 2025 based on gross income exceeding program limits. (Exhibit A, pp. 25-29).

Petitioner contests her husband being included in the CDC group. Petitioner asserts that her husband was not a true member of the household. Petitioner was unable to rely on her husband to contribute and she did not have access to his income. However, Petitioner acknowledged that her husband was allowed to stay in the home during a temporary period. Petitioner also did not dispute the income figures the Department utilized for her husband for the month of November 2025. (Exhibit A, p. 5; Petitioner Testimony). Petitioner's husband was a mandatory CDC group member pursuant to the BEM 205 policy because he was living in the home and was the father of children in the home. Therefore, the Department properly included Petitioner's husband in the CDC group and considered his income when determining eligibility for CDC benefits at that time.

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 Child Development and Care (CDC) benefits at that time.

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