



Date Mailed: February 12, 2026
Docket No.: 26-001850
Case No.: [REDACTED]
Petitioner: [REDACTED]

[REDACTED]
MI [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.

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Docket No.: 26-001850

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On January 5, 2026, Petitioner Sheila Jackson requested a hearing to dispute a Food Assistance Program (FAP) determination. As a result, a hearing was scheduled to be held on February 10, 2026, 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 Jarrod Swartz, Assistance Payments Supervisor.

ISSUE

Did the Department properly determine Petitioner's FAP benefits beginning January 1, 2026?

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 is an ongoing recipient of FAP benefits.
2. Petitioner has a household size of 1.
3. Petitioner was receiving Supplemental Security Income (SSI) of \$ [REDACTED] per month.
4. Petitioner also receives a State Supplementary Payment (SSP) of \$ [REDACTED] per month.
5. The Social Security Administration (SSA) withheld \$94.30 in December 2025.
6. Petitioner stated that the withheld funds were due to an alleged overpayment.
7. On December 6, 2025, a Notice of Case Action was issued stating that Petitioner's FAP benefit amount would be reduced to \$258.00 per month from January 1, 2026, to November 30, 2026.
8. Beginning January 1, 2026, Petitioner receives SSI of \$ [REDACTED] per month.
9. The SSA withheld \$40.00 per month in January and February 2026.

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10. On January 5, 2026, Petitioner requested a hearing to dispute the Department's determination.
 11. On January 6, 2026, the Department reviewed Petitioner's case and updated Petitioner's SSI.
 12. On January 6, 2026, a Benefit Notice was issued stating that Petitioner's FAP benefit amount would be reduced to \$234.00 per month beginning February 1, 2026.

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.

The Department uses countable income to determine eligibility and benefit levels. Income remaining after applying the policy in the income related items is called countable. For FAP purposes, all earned and unearned income available to an applicant or recipient is countable. The Department uses gross income when determining countable income. Gross income is the amount of income before any deductions such as taxes or garnishments, and the amount counted may be more than the client actually receives. BEM 500 (April 1, 2022), p. 4.

In calculating the FAP budget, the Department considers the gross benefit amount of SSA issued SSI as unearned income. BEM 503 (October 1, 2025), p. 36. Michigan SSI benefits include a basic federal benefit and an additional amount paid from state funds. *Id.* Bridges counts the gross benefit amount as unearned income. *Id.*

In this case, the Department was unable to show how Petitioner's FAP benefit amount was determined for January 2026. The evidence shows that Petitioner was approved for FAP benefits beginning January 1, 2026, based on \$ [REDACTED] in unearned income. However, the Department was unable to explain how this unearned income was calculated. Accordingly, the Department failed to meet its burden of going forward and establishing that it properly determined Petitioner's January 2026 FAP benefit amount.

Beginning February 1, 2026, the Department determined that Petitioner is eligible for a FAP benefit of \$234.00 per month based on \$ [REDACTED] in unearned income.

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Petitioner received SSI of \$ [REDACTED] and a SSP of \$ [REDACTED]. However, \$40.00 was withheld by the SSA. Therefore, Petitioner's unearned income beginning January 2026 is \$ [REDACTED] (\$ [REDACTED] + \$ [REDACTED] - \$ [REDACTED]).

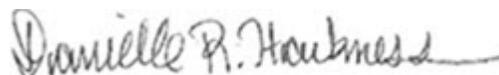
Based on Petitioner's household size of 1, Petitioner's unearned income of \$ [REDACTED], the standard deduction of \$209.00, and the shelter deduction of \$546.00 the Department properly determined that Petitioner's net income was \$ [REDACTED] and Petitioner is eligible for a FAP benefit amount of \$234.00 beginning February 1, 2026.

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 did not act in accordance with its policies and the applicable law when it determined Petitioner's FAP benefit amount from January 1, 2026, to January 31, 2026.

IT IS ORDERED, the Department's decision is **AFFIRMED IN PART** with respect to the Department's determination of Petitioner's FAP benefit amount beginning February 1, 2026, **and REVERSED IN PART** with respect to the Department's December 6, 2025, Determination finding Petitioner eligible for a FAP benefit amount of \$258.00 from January 1, 2026, to January 31, 2026.

The Department shall redetermine Petitioner's eligibility for FAP benefits from January 1, 2026, to January 31, 2026, consistent with this decision. The Department shall begin to implement this decision within 10 days of the date of mailing of this decision and order.



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

KENT COUNTY DHHS
121 MARTIN LUTHER KING JR ST SE
STE 200
GRAND RAPIDS, MI 49507
MDHHS-KENT-HEARINGS@MICHIGAN.GOV

Via First Class Mail:

Petitioner

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