

ISSUE

Did the Department properly close Petitioner's Food Assistance Program (FAP) case for failure to complete the redetermination interview?

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 November 4, 2025, the Department sent Petitioner a redetermination application for FAP benefits. The application informed Petitioner that she was scheduled for a redetermination interview on December 10, 2025, between 2:30 and 4:30 p.m. (Exhibit A, p. 7).
2. On November 24, 2025, the Department received the completed redetermination application for FAP benefits from Petitioner. Petitioner completed the redetermination application by hand, which included a telephone number. (Exhibit A, pp. 7 – 11).
3. On December 10, 2025, the Department attempted to contact Petitioner at REDACTED (exchange 376) to complete her interview. The Department was unable to reach Petitioner.
4. On December 10, 2025, the Department sent Petitioner a Notice of Missed Appointment that informed Petitioner that she missed her scheduled interview and that it was her responsibility to reschedule the interview before December 31, 2025, or her application for FAP benefits would be denied. (Exhibit A, p. 12).
5. On January 2, 2026, the Department sent Petitioner a Notice of Case Action (NOCA) that denied Petitioner FAP benefits effective January 1, 2026, for failure to complete the interview. The NOCA informed Petitioner that if she completed the interview process within 30 days of the end of the benefit period, she may be eligible for FAP benefits from the date the interview was completed. (Exhibit A, pp. 13 – 14).
6. On January 9, 2026, the Department received a request for hearing from Petitioner that disputed the Department's closure of her FAP case and alleged that the Department called Petitioner at the wrong telephone number. (Exhibit A, pp. 3 – 5).

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.

Petitioner requested a hearing to dispute the Department's closure of her FAP case and alleged that the Department called Petitioner at the wrong telephone number. The Department closed Petitioner's FAP case at the end of her benefit period for failure to complete the required FAP interview.

When a client is actively receiving FAP benefits, the Department must periodically redetermine the client's eligibility. BAM 210 (July 2025), p. 1. For FAP groups such as Petitioner's, the redetermination process consists of at least two steps: a) completion of the redetermination application, and b) an interview. BAM 210, pp. 3, 5 – 6, 21 – 22. If the client misses the scheduled FAP interview appointment, the Department sends the client a Notice of Missed Appointment advising that it is the client's responsibility to request another interview date. BAM 210, p. 6; BAM 115 (October 2025), p. 23. Benefits stop at the end of the benefit period unless the client completes the redetermination process and a new benefit period is certified. BAM 210, pp. 3, 21.

In this case, Petitioner was scheduled for a redetermination interview for December 10, 2025, and there was no dispute that the Department did not reach her that day. The Department testified that it attempted to reach Petitioner at the phone number written on the redetermination application, which it determined had an exchange of 376. In contrast, Petitioner's AHR testified that the exchange was 374 and argued that the Department should have known this because Petitioner's phone number had not changed. A review of the record reflects that, due to the handwritten nature of the information, it is unclear whether the reported telephone exchange ends in a 4 or a 6.

Regardless, the record established that Petitioner was notified in advance that she was scheduled for an interview on December 10, 2025, and there was no evidence that she attempted to contact the Department on or about that date regarding her interview.

When the Department was unable to reach Petitioner on December 10, 2025, it sent her a Notice of Missed Appointment the same day. The notice informed Petitioner that she missed her scheduled interview, that it was her responsibility to reschedule before December 31, 2025, and that failure to do so would result in the denial of her FAP benefits. The Department testified that it had no record of Petitioner attempting to reschedule her interview on or before December 31, 2025.

Petitioner's AHR disputed that Petitioner received the Notice of Missed Appointment. However, the evidence established that it was mailed to her confirmed address, and the Department credibly testified that it was not returned as undeliverable. The proper addressing and mailing of a letter creates a presumption of receipt which may be rebutted by evidence. *Stacey v Sankovich*, 19 Mich App 688; 173 NW2d 225 688 (1969). However, Petitioner did not produce any documentation to rebut the presumption of her timely

receipt of the Notice of Missed Appointment. Accordingly, Petitioner is presumed to have received the Notice of Missed Appointment.

Petitioner's AHR did not assert that Petitioner attempted to reschedule or complete her interview in December 2025; however, he testified that he called the Department multiple times beginning on January 2, 2026, regarding the Department's failure to issue FAP benefits to Petitioner. In contrast, the Department testified that its records reflect that Petitioner contacted the Department on January 8, 2026, and requested to speak to a supervisor; and that Petitioner's AHR called the Department on January 14, 2026.

Although there was a dispute regarding the telephone number Petitioner reported on her redetermination application, resolution of that issue is not necessary. Petitioner was informed that she was scheduled for an interview on December 10, 2026, and when the interview was not completed, the Department sent her a Notice of Missed Appointment which, as explained previously, she is presumed to have received. Because there was no evidence that Petitioner attempted to complete her redetermination interview before the end of her benefit period, the Department properly closed her FAP case effective January 1, 2026, for failure to complete the required interview.

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 closed Petitioner's FAP case effective January 1, 2026, for failure to complete the FAP interview.

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