
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 March 5, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Rebecca Ridley, Hearing Facilitator. Department Exhibit 1, pp. 1-32 was received and admitted.

ISSUE

Did the Department properly deny Petitioner's Family Independence Program (FIP) application for failing to complete 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 REDACTED 2025, Petitioner applied for FIP.
2. On November REDACTED, 2025, Petitioner was available for her phone interview and received no call.
3. On November REDACTED, 2025, Petitioner was available for her phone interview and received no call.
4. On November REDACTED, 2025, a Verification Checklist was sent to Petitioner requesting verification of pregnancy and address.
5. On November REDACTED, 2025, a PATH appointment notice was sent to Petitioner.
6. On November REDACTED 2025, a FAST Mandatory Notice was sent to Petitioner.
7. On January 2, 2026, Petitioner was available for her phone interview and received no call.
8. Petitioner gave birth on January REDACTED, 2026.
9. On January REDACTED, 2026, a Notice of Case Action was sent to Petitioner informing her that her FIP application was denied.
10. On January 14, 2026, Petitioner requested hearing disputing the denial of FIP benefits.

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11. At the time of hearing, Petitioner was approved for FIP for February 2026 and March 2026.
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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 Family Independence Program (FIP) was established pursuant to the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Pub. L. No. 104-193, and 42 USC 601 to 679c. The Department (formerly known as the Department of Human Services) administers FIP pursuant to 45 CFR 233-260, MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3101-.3131.

FIP Only

In addition to the above requirements, the following must be reviewed with all adult mandatory group members during the FIP interview: • Work participation requirements. Identify any potential deferrals listed in BEM 230A. • Direct support service opportunities, including transportation and child care required to attend the PATH orientation; see BEM 229, Path Program Referral & The Application Eligibility Period. • Family Self-Sufficiency Plan (FSSP) requirements listed in BEM 228, Family Automated Screening Tool And Family Self-Sufficiency Plan. • Penalties for non-compliance; see BEM 233A, Failure to Meet Employment And/Or Self-Sufficiency-Relates Requirements: FIP. • FIP time limits; see BEM 234. • Child support requirements; see BEM 255. • Vending payments request; see BAM 425, Voluntary Vendor Payments. • Prohibited use of FIP to purchase lottery tickets, alcohol or tobacco. It is also prohibited for gambling, illegal activities, massage parlors, spas, tattoo shops, bail-bond agencies, adult entertainment, cruise ships or other nonessential items. The local office may exempt a relative caretaker or unrelated caretaker ineligible grantee and dependent child member adds from the FIP interview requirements. BAM 115

In this case, Petitioner credibly testified that she was available for all her scheduled interviews and never received phone calls. Petitioner also credibly testified that she would call back on the day of her scheduled interview after she did not receive phone calls at the time of her scheduled interviews. The Department failed to establish that there was a basis to deny Petitioner's November REDACTED, 2025, FIP application for failing to complete her 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 failed to

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satisfy its burden of showing that it acted in accordance with Department policy when it denied Petitioner's FIP application.

Accordingly, the Department's decision 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. Reinstate and reprocess Petitioner's November REDACTED, 2025, FIP application going back to the date of application.
2. Issue Petitioner FIP benefits going back to the date of application if she is found eligible.



AARON MCCLINTIC
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.