



Date Mailed: February 23, 2026
Docket No.: 26-003043
Case No.: [REDACTED]
Petitioner: [REDACTED]

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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.

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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 February 18, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Sunshine Simonson, Eligibility Specialist.

ISSUE

Did the Department properly determine Petitioner’s eligibility for Family Independence Program (FIP) 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. Petitioner and her spouse (Spouse) were ongoing recipients of FIP and received \$[REDACTED] twice per month.
2. On May [REDACTED] 2025, Petitioner and Spouse received a FIP payment of \$[REDACTED]
3. On May [REDACTED] 2025, Spouse died.
4. On May [REDACTED] 2025, the household did not receive a \$[REDACTED] FIP payment.
5. On June [REDACTED] 2025, Petitioner received a FIP payment.
6. On September 12, 2025, the Department received Petitioner’s request for a hearing that disputed the receipt of Food Assistance Program (FAP) and FIP benefits for the month of May 2025.
7. On October [REDACTED] 2025, Docket No. 25-034322 Decision and Order was issued and ordered the Department to redetermine Spouse’s available electronic benefit transfer (EBT) card balances for FAP and FIP as of May 17, 2025 and, if there were available balances, redetermine Petitioner’s eligibility to receive those benefits, and if eligible, issue Petitioner any remaining FAP and FIP benefits on Spouse’s EBT card as of May 17, 2025. Exhibit A, pp. 10-14.

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8. On January 12, 2026, the Department received Petitioner's request for hearing that disputed the Department's implementation of the hearing Decision and Order in MOAHR Docket No. 25-034322. Exhibit A, pp. 3-6.
 9. On January █ 2026, the Department issued supplemental FAP issuances to Petitioner. Exhibit A, p. 23.
 10. On January █ 2026, the Department received a response to a help desk ticket that indicated that FIP policy approved a transfer and manual issuance of FIP benefits to Petitioner but that the local EBT Coordinator must transfer the balance to Petitioner. Exhibit A, pp. 19-20.
 11. As of the date of the hearing, the Department had not issued any supplemental FIP payment to Petitioner.

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).

Petitioner requested a hearing to dispute the Department's implementation of the Decision and Order in MOAHR Docket No. 25-034322 regarding the issuance of FAP and FIP supplements. At the commencement of the hearing, Petitioner indicated that she received the FAP supplement issued on January 23, 2026 and no longer had a dispute regarding FAP. Thus, the portion of Petitioner's request for hearing that disputed FAP is **DISMISSED**.

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.

In this case, Petitioner disputed that the Department properly implemented the Decision and Order in MOAHR Docket No. 25-034322 regarding the issuance of FIP supplements. The Decision and Order, issued on October 27, 2025, ordered the Department to redetermine Spouse's available balance for FIP as of May 17, 2025 and, if there was an available balance of FIP, redetermine Petitioner's eligibility to receive those benefits. If eligible, the Department was to issue Petitioner any remaining FIP benefits that were available as of May 17, 2025.

The Department is required to implement a Decision and Order within 10 calendar days of the mailing date on the hearing decision. BAM 600 (July 2025), p. 43. For FIP, when a supplement is required by a court order or an administrative hearing decision, the supplement must be issued within 10 workdays after the court order/hearing decision is mailed. BAM 405 (July 2013), p. 1.

Here, based on the help desk tickets from October 2025 and January 2026, the Department determined that a FIP supplement was owed to Petitioner for May 17, 2025 and FIP policy approved the issuance of a supplemental FIP payment. However, the help desk ticket indicated that the “local EBT Coordinator” needed to issue the supplement to Petitioner. While the help desk tickets referenced FIP supplements of both \$██████ and \$██████ (Exhibit A, p. 20), it was not established where the \$██████ originated. The Department testified that the FIP benefit rate in effect for May 2025 was \$██████ issued twice per month and Petitioner testified that the only FIP payment that she had not received was the May 17, 2025 issuance of \$██████ Although the Department indicated that it had been working on issuing the FIP payment, the Department was unable to explain why the supplement had not been issued by the local EBT Coordinator.

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 Department policy when it did not implement the hearing Decision and Order and issue a supplemental FIP payment within the timeframes required by policy.

DECISION AND ORDER

Accordingly, Petitioner's request for hearing regarding **FAP** is **DISMISSED**.

The Department's decision regarding **FIP** 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. Issue Petitioner a supplemental FIP payment of \$ [REDACTED] for May 17, 2025; and
2. Notify Petitioner in writing of its decision.



JULIA NORTON
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://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, **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

26-003043

Lansing Michigan 48909-8139

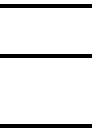
Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed.

26-003043

Via Electronic Mail:

Respondent

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Via First Class Mail:

Petitioner

[REDACTED]
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