



**Date Mailed:** February 25, 2026  
**Docket No.:** 26-003441  
**Case No.:** [REDACTED]  
**Petitioner:** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

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**Docket No.:** 26-003441

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED] [REDACTED]

### **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 23, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Jamila Goods, Eligibility Specialist.

### **ISSUE**

Did the Department properly determine Petitioner's eligibility for Food Assistance Program (FAP) benefits?

Did the Department properly determine Petitioner's eligibility for State Disability Assistance (SDA)?

### **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 was an ongoing recipient of FAP benefits.
2. On December [REDACTED] 2025, the Department received Petitioner's application for State Emergency Relief (SER) and cash assistance. Exhibit A, pp. 7-13.
3. Petitioner is [REDACTED] years old.
4. Petitioner is not married and is a household of one. Exhibit A, pp. 7-8.
5. Petitioner reported employment at [REDACTED] (Employer). Exhibit A, p. 11.
6. Petitioner is homeless. Exhibit A, p. 7.
7. Petitioner reported a phone number ending in -[REDACTED] Exhibit A, p. 7.
8. On December [REDACTED] 2025, the Department sent Petitioner a verification checklist (VCL) for FAP with a due date of December 22, 2025. The VCL requested the last

30 days of check stubs or earnings statements from Employer. Exhibit A, pp. 16-18.

9. On December █ 2025, the Department generated a Bridges employment verification that listed Petitioner's wage history from Employer. Exhibit A, pp. 20-23.
10. On December █ 2025, the Department sent Petitioner an Appointment Notice that informed Petitioner of a telephone interview appointment scheduled for January █ 2026 between 9:30 AM and 11:30 AM at phone number ending in - █ Exhibit A, p. 29.
11. On January █ 2026, the Department sent Petitioner a Notice of Case Action (NOCA) that informed Petitioner that her application for cash assistance was denied effective January 1, 2026 ongoing because she did not complete the interview and her FAP benefits were increased to \$█ per month effective January 1, 2026 to November 30, 2026. Exhibit A, pp. 30-37.
12. On January 27, 2026, the Department received Petitioner's request for hearing that disputed the denial of FAP, SDA and State Emergency Relief (SER). 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).

Petitioner filed a request for hearing that disputed the Department's actions regarding FAP, SDA and SER. At the commencement of the hearing, Petitioner withdrew the portion of her request for hearing that disputed SER. Pursuant to Petitioner's withdrawal, the portion of the hearing request regarding SER is DISMISSED.

#### **FAP**

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.

In this case, Petitioner disputed her monthly FAP benefit of \$█. The Department explained that Petitioner reported income from employment and this caused a reduction to her monthly FAP benefit.

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The Department must consider a FAP group's countable income to determine the FAP benefit rate. BEM 500 (January 2026), pp. 1-5. The Department determines a client's eligibility for program benefits based on the client's actual income and/or prospective income. Prospective income is income not yet received but expected. BEM 505 (June 2025), p. 1. For the purposes of FAP, the Department must convert income that is received more often than monthly into a standard monthly amount. BEM 505, pp. 8-9. To standardize income received weekly, the Department multiplies the average weekly income by 4.3. BEM 505, p. 9. To standardize income received biweekly, the Department multiplies the average by 2.15. *Id.* The Department uses income from the past 30 days if it appears to accurately reflect what is expected to be received in the benefit month. BEM 505, p. 6. For fluctuating or irregular income, the Department is required to use the past 60 or 90 days if the past 30 days is not a good indicator of future income and the fluctuations in income during the past 60 or 90 days appear to accurately reflect the income that is expected to be received in the benefit month. *Id.* Department policy further provides that it should seek input from clients whenever possible when prospecting income. *Id.*, p.1.

Here, the Department explained that Petitioner's December [REDACTED] 2025 application reported employment which caused the Department to update Petitioner's FAP case. It was not disputed that Petitioner's only income was from Employer. The Department retrieved Petitioner's wage information from the Bridges employment verification system on December [REDACTED] 2025. The Department testified that it determined Petitioner's earned income was \$[REDACTED] per month based on her weekly gross paychecks for November 7 of \$[REDACTED] November 14 of \$[REDACTED] November 21 of \$[REDACTED] and November 28, 2025 of \$[REDACTED]. The Bridges verification wage history reflected no paychecks issued after November 28, 2025 and Petitioner's application reported that Employer removed her from the schedule the prior week. Because the Department uses income from the past 30 days, it should have considered Petitioner's income for the period of November 10, 2025 to December 10, 2025, which would have *excluded* the November 7, 2025 paycheck and *included* a December 5, 2025 paycheck, if any. Because the Department did not use income from the past 30 days when determining Petitioner's monthly income, the Department did not establish that it properly determined Petitioner's monthly income or her corresponding monthly FAP benefit amount.

At the hearing, Petitioner testified she was no longer working for Employer. Petitioner is informed she may report the change in employment to the Department for consideration in future FAP budgets.

### **SDA**

Cash assistance includes Family Independence Program (FIP), Refugee Cash Assistance (RCA) and State Disability Assistance (SDA) programs. BEM 209 (January 2022), p. 1. Petitioner is not the parent, stepparent or caretaker of a dependent child and is not a refugee, therefore, she may be eligible for cash assistance only under SDA. BEM 210 (January 2026), p. 1; BEM 215 (July 2013), p. 1.

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The SDA program is established by the Social Welfare Act, MCL 400.1-.119b. The Department of Health and Human Services (formerly known as the Department of Human Services) administers the SDA program pursuant to 42 CFR 435, MCL 400.10 and Mich Admin Code, R 400.3151-.3180.

In this case, Petitioner disputed the denial of her SDA application. The Department explained that it denied the application because Petitioner failed to complete the interview.

The purpose of the interview is to explain program requirements to the applicant and to gather information for determining the group's eligibility. BAM 115 (February 2026), p. 17. The Department must conduct a telephone or in-person interview at application before approving benefits. BAM 115, p. 21. If the client misses an interview appointment, the application may be denied after the 10th day from the date the MDHHS-170, Appointment Notice, was sent. BAM 115, p. 23.

Here, the Department testified that after receiving Petitioner's December █ 2025 application, it contacted Petitioner on December █ 2025 at 8:25 AM and there was no answer and a message was left. On December █ 2025, the Department texted Petitioner at 2:21 PM and then called her at 2:28 PM and there was no answer and a message was left. Petitioner contacted the Department on December █ 2025 and the interview was rescheduled. An Appointment Notice was issued on December █ 2025 that rescheduled the interview for January █ 2026 between 9:30 AM and 11:30 AM. The Department testified that on January █ 2026, the case comments indicated that the Department called Petitioner twice, received no answer and left a message. No phone call times were noted in the case comments. The Department issued a NOCA denying the SDA application on January █ 2026.

Petitioner testified that prior to January █ 2026, she received messages from the Department, tried to call the Department back and eventually had the interview rescheduled for January █ 2026. On January █ 2026, Petitioner testified that the Department did not call her for the interview and she called the Department when no one contacted her during the scheduled two-hour window. The Department testified that there was no case comment regarding Petitioner contacting the Department on January █ 2026.

Based on the evidence presented, there was no dispute that the SDA interview was scheduled for January █ 2026 between 9:30 AM and 11:30 AM with phone number ending in -████. Conflicting testimony of equal weight and credibility was presented by the parties as to whether the Department contacted Petitioner to conduct the interview. Although the Department testified that case comments indicated two phone calls were made to Petitioner on January █ 2026, the calls placed by the Department to Petitioner *prior* to January █ 2026 included time stamps but the January █, 2026 calls had no corresponding time stamps. Petitioner credibly testified that she did not receive any

calls during the two-hour interview window. Because the evidence presented was of equal weight and credibility, the Department did not meet its initial burden of establishing that it contacted Petitioner on January █ 2026 to conduct the interview. Therefore, the Department did not establish that it properly denied Petitioner's SDA application for failing to complete the interview.

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 determined Petitioner's eligibility for FAP and SDA.

**DECISION AND ORDER**

Accordingly, pursuant to Petitioner's withdrawal of the SER dispute, the request for hearing regarding **SER** is **DISMISSED**.

The Department's decisions regarding **FAP** and **SDA** are **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. Redetermine Petitioner's eligibility for FAP benefits from January 1, 2026 ongoing, in accordance with Department policy;
2. Issue supplemental payments for any FAP benefits that Petitioner was entitled to but did not receive from January 1, 2026 ongoing;
3. Reregister and reprocess Petitioner's December █ 2025 cash assistance application;
4. If Petitioner is eligible for cash assistance, supplement Petitioner for benefits she was eligible to receive but did not from December █ 2025 ongoing; and
5. Notify Petitioner of its decisions in writing.



**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](http://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://rs.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.

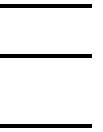
Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation 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](mailto: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:**

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**Via First Class Mail:**

**Petitioner**

