



Date Mailed: March 4, 2026

Docket No.: 26-003712

Case No.: [REDACTED]

Petitioner: [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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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 24, 2026. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Rebecca Webber, Overpayment Establishment Analyst. Department Exhibit 1, pp. 1-106 was received and admitted.

ISSUE

Did the Department properly determine that Petitioner received an overissuance of Foes Assistance Program (FAP) benefits due to client error?

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 a recipient of FAP benefits with simplified reporting requirements.
2. Following Petitioner's redetermination for FAP in December 2023, Petitioner's simplified reporting amount was \$ [REDACTED]
3. On September [REDACTED] 2024, Petitioner's simplified reporting amount was increased to \$3,250.
4. Petitioner began earning above her simplified reporting amount in January 2024.
5. Petitioner earned above her simplified reporting amount from January 2024 through August 2024 and October 2024 through December 2024. (Ex. 1, pp. 36-49)
6. On January [REDACTED] 2026, a Notice of Overissuance was sent to Petitioner alleging that she received an overissuance of FAP benefits in the FAP program totaling \$ [REDACTED] for the time period from March 1, 2024, through December 31, 2024.
7. On February 5, 2026, Petitioner requested hearing disputing the determination of overissuance.

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.

OVERPAYMENT AMOUNT FIP, SDA, RCA, CDC and FAP

The amount of benefits issued to the client, household, or provider in excess of what the recipient(s) was/were eligible to receive. BAM 715

Simplified Reporting

FAP Only

The first month of overpayment is two months after the actual monthly household income exceeded the simplified reporting (SR) limit. BAM 715

In this case, Petitioner was a recipient of FAP benefits and was subjected to simplified reporting requirements. Petitioner had income above the simplified reporting amount that was not reported and was not budgeted. Therefore, Petitioner received an overissuance of FAP benefits that the Department is entitled to recoup. At hearing Petitioner questioned why her increases in income were not budgeted if the Department had access to the income information. Petitioner also questioned whether she received all the income that was attributed to her. The Department provided sufficient proof in the form of printouts from the Work Number database to establish that Petitioner had income above the simplified reporting amount during the overissuance period that was not budgeted. (Ex. 1, pp. 36-49) Petitioner did not provide sufficient evidence to refute the Department evidence regarding her income. Petitioner had a duty to report when her income was above the simplified reporting amount and she failed to do so, that is why it is properly characterized as client error. The Department does not have an affirmative duty to review all the databases available to them to ascertain whether the income used in FAP budgeting is correct. Recipients have a duty to report new income and increased income above the simplified reporting amount, Petitioner did not meet that duty and it resulted in client error overissuance. BAM 715

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 determined that Petitioner received an overissuance of FAP benefits totaling \$[REDACTED] for the time period from March 1, 2024, through August 31, 2024 and October 1, 2024, through December 31, 2024.

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



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.

26-003712

Via Electronic Mail:

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