

## ISSUE

The issue is whether MDHHS properly determined Petitioner's Food Assistance Program (FAP) eligibility.

## FINDINGS OF FACT

The administrative law judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of December 2025, Petitioner received ongoing FAP benefits in a benefit group that included no other persons.
2. On November 20, 2025, Petitioner submitted to MDHHS a Redetermination for reporting rent of \$850 per month and a telephone expense with no other utilities.
3. On December 19, 2025, Petitioner reported to MDHHS paying rent of \$850 per month with no utility obligations other than telephone.
4. On December 19, 2025, MDHHS approved Petitioner for \$202 in monthly FAP benefits beginning January 2026.
5. As of January 2026, Petitioner received Supplemental Security Income (SSI) of and State Supplemental Payments (SSP) totaling **\$REDACTED** per month.
6. As of January 2026, Petitioner's FAP benefit group had no dependent care, child support, or medical expenses.
7. As of January 20, 2026, Petitioner last reported to MDHHS rent payments of \$850 per month and no utility obligations other than telephone.
8. On January 20, 2026, Petitioner's AHR requested a hearing to dispute FAP eligibility for January 2026.

## CONCLUSIONS OF LAW

The 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. MDHHS administers the FAP pursuant to MCL 400.10, the Social Welfare Act, MCL 400.1-.119b, and Mich Admin Code, R 400.3001-.3011. MA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner's AHR requested a hearing to dispute Food Assistance Program (FAP) eligibility. Exhibit A, pp. 3-5. A Notice of Case Action dated December 19, 2026, stated

that Petitioner was eligible to receive \$202 in monthly FAP benefits beginning January 2026. Exhibit A, pp. 24-28.

FAP benefit eligibility is based on a client's net income as calculated by MDHHS policy. Net income is based on the client's group size, countable monthly income, and relevant monthly expenses. BEM 556 outlines the factors and calculations required to determine net income. The approval notice sent to Petitioner included a summary of factors used to determine Petitioner's net income of **\$REDACTED**. Exhibit A, p. 25. During the hearing, all relevant budget factors were discussed with Petitioner's AHR.

MDHHS factored a benefit group including only Petitioner. Petitioner's AHR did not dispute the FAP benefit group size of one.<sup>1</sup>

It was not disputed that Petitioner received monthly gross SSI and SSP benefits totaling **\$REDACTED** beginning January 2026. For FAP, MDHHS is to count a gross SSI benefit. BEM 503 (January 2025) p. 36. For FAP, MDHHS is to count a gross SSP benefit. *Id.*, p. 38. Petitioner's benefit group's countable income totals **\$REDACTED**.

MDHHS uses certain expenses to determine net income for FAP eligibility and benefit levels. BEM 554 (January 2025) p. 1. For groups without a senior (over 60 years old), disabled or disabled veteran (SDV) member, MDHHS factors the following expenses: shelter (housing and utilities) up to a capped amount, dependent care, and court-ordered child support including arrearages paid to non-household members. *Id.* An SDV group that has a verified one-time or ongoing medical expense(s) of more than \$35 for an SDV person(s) will receive the standard medical deduction (SMD) of \$165. *Id.*, p. 9. If the group has actual medical expenses which are more than the SMD, the group has the option to verify their actual expenses instead of receiving the SMD. *Id.*

Petitioner did not allege having dependent care, child support, or medical expenses. Thus, MDHHS properly credited Petitioner with \$0 non-shelter expenses.

Petitioner's FAP benefit group size justifies a standard deduction of \$209 (see RFT 255). The standard deduction is given to all FAP benefit groups, though the amount varies based on the benefit group size. The standard deduction and countable non-shelter expenses are subtracted from the countable monthly income to calculate the group's adjusted gross income. Subtracting the standard deduction (\$209) and countable non-shelter expenses (\$0) from the group's countable income (**\$REDACTED**) results in an adjusted gross income of **REDACTED**.

MDHHS factored Petitioner's reported rent of \$850 from redetermination documents received on November 20, 2025. Exhibit A, pp. 7-13. Petitioner reported the same rent during an interview held on December 19, 2025. Exhibit A, pp. 14-21. Petitioner's AHR contended that MDHHS should have factored an increased rent of \$950 reported to MDHHS on January 27, 2026: seven days after Petitioner requested a hearing. MDHHS cannot be faulted for factoring Petitioner's FAP eligibility on December 19, 2026, based

---

<sup>1</sup> See BEM 212 for policies on determining group size for FAP benefits.

on the most recently reported rent of \$850. MDHHS properly factored Petitioner's FAP eligibility based on housing expenses of \$850

Petitioner's redetermination documents also reported that Petitioner's utility responsibilities included only a telephone. Exhibit A, pp. 7-13. MDHHS documented on interview documents dated December 19, 2025, that Petitioner reported the same utility obligations. Exhibit A, pp. 14-21. As a result, MDHHS budgeted a standard \$31 telephone credit. RFT 255 (October 2025) p. 1. There was no evidence of a reported change in utility obligations before Petitioner requested a hearing. Thus, MDHHS properly issued only a \$31 credit for utilities. Adding Petitioner's housing costs and utility credits results in a total shelter credit of \$881.

MDHHS credits FAP benefit groups with an "excess shelter" expense. The expense is calculated by subtracting half of Petitioner's adjusted gross income from Petitioner's total shelter obligation. Petitioner's excess shelter expense is \$482 (rounding up to nearest dollar).

The FAP benefit group's net income is determined by subtracting the excess shelter expense from the group's adjusted gross income; doing so results in **\$REDACTED** in net income for Petitioner's group. A chart is used to determine the proper FAP benefit issuance.<sup>2</sup> RFT 260 (October 2025) pp. 1-5. Based on Petitioner's group size and net income, Petitioner's proper FAP issuance for January 2026 is \$202: the same amount calculated by MDHHS. Given the evidence, MDHHS properly determined Petitioner's FAP eligibility.

### **DECISION AND ORDER**

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly determined Petitioner to be eligible for \$202 in monthly FAP benefits beginning January 2026. The actions taken by MDHHS are **AFFIRMED**.

---

<sup>2</sup> FAP eligibility can also be calculated by multiplying the net income by 30% and subtracting the amount from the maximum FAP issuance for the group.