

ISSUE

The issue is whether MDHHS properly terminated 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. On November 4, 2025, MDHHS mailed Petitioner redetermination documents informing Petitioner to return and complete the documents by December 17, 2025. The redetermination documents also informed Petitioner that MDHHS would call for an interview on December 17, 2025, during a two-hour block beginning at 3:30 p.m.
2. On December 12, 2025, Petitioner returned completed redetermination documents to MDHHS.
3. On December 17, 2025, MDHHS did not call Petitioner for an interview.
4. On an unspecified date, MDHHS sent Petitioner notice of a redetermination interview to be held on December 29, 2025.
5. On December 29, 2025, MDHHS did not call Petitioner for an interview.
6. As of January 1, 2026, Petitioner's FAP eligibility ended.
7. On an unspecified date in early January 2026, Petitioner went to the MDHHS office to be interviewed for his redetermination. MDHHS did not interview Petitioner.
8. On January 16, 2026, Petitioner's AHR requested a hearing to dispute the termination of FAP benefits.
9. On or near January 27, 2026, Petitioner went to the MDHHS office to be interviewed and was told that someone would call him within 24 hours.
10. As of January 28, 2026, MDHHS did not call Petitioner.
11. On or near January 29, 2026, Petitioner called MDHHS and was told after a three hour wait that MDHHS would call him within 30 minutes; MDHHS did not return Petitioner's call.
12. On January 30, 2026, MDHHS mailed Petitioner an Appointment Notice scheduling Petitioner for a redetermination telephone interview on February 6, 2026, between 2:00 p.m. and 4:00 p.m.

13. On or near February 3, 2026, Petitioner went to the MDHHS office to be interviewed and was told that he could not be interviewed because his case was closed.
14. On February 6, 2026, MDHHS called Petitioner at an unspecified time and Petitioner did not answer.
15. As of February 6, 2026, MDHHS did not mail Petitioner notice of a Missed Appointment.

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 a termination of FAP benefits. Exhibit A, pp. 3-5. MDHHS testified that Petitioner's FAP eligibility ended January 2026 due to a failure to be interviewed as part of a FAP benefit redetermination.

MDHHS is to conduct a telephone interview at redetermination before determining ongoing eligibility for FAP benefits. BAM 210 (April 2025) p. 5. If the client misses the interview, MDHHS is to send a DHS-254, Notice of Missed Interview. *Id.* The group loses its right to uninterrupted FAP benefits if it fails to do any of the following: file the FAP redetermination by the timely filing date, participate in the scheduled interview, submit verifications timely if the due date is after the timely filing date. *Id.*, p. 21.

MDHHS sent Petitioner a Redetermination form on November 4, 2025, scheduling Petitioner for a telephone interview on December 17, 2025. Petitioner returned the documents to MDHHS on December 12, 2025. Exhibit A, pp. 8-15. Despite timely returning the Redetermination form to MDHHS, MDHHS acknowledged it did not call Petitioner for an interview on December 17, 2025. MDHHS testified it rescheduled Petitioner for an interview on December 29, 2025; MDHHS again acknowledged it did not call Petitioner on the scheduled interview date. Petitioner's FAP eligibility ended after December 2025 due to Petitioner's FAP benefit redetermination not being processed.

After Petitioner requested a hearing, MDHHS sent Petitioner an Appointment Notice on January 30, 2026, advising Petitioner of a telephone interview on February 6, 2026, between 2:00 and 4:00 p.m. Exhibit A, p. 17. A MDHHS specialist testified that she called Petitioner at the scheduled date and time and left a voicemail after Petitioner did not answer. MDHHS contended that its unsuccessful effort to interview Petitioner in February 2026 met its procedural requirements to allow Petitioner's FAP eligibility to remain closed.

Petitioner testified that he made several unsuccessful attempts to be interviewed. Petitioner testified he went to the MDHHS office twice in January 2026. The first time, on an unspecified date in early January 2026, Petitioner testified that he informed MDHHS that his phone was broken in December 2025; Petitioner testified that he was told that no workers were available to assist with his redetermination. Petitioner also testified that he went to the MDHHS office on January 27, 2026, and was told that someone would call him within 24 hours, but no such call occurred. Petitioner testified he again went to the MDHHS office in early February 2026 and was told that his case was closed and nothing further could be done. Petitioner also testified that he tried calling MDHHS on January 29, 2026. Petitioner testified that he waited approximately 3 hours before being told that someone would call him within 30 minutes; Petitioner testified that he received no return call from MDHHS.

Implied within the requirements is that MDHHS call a client on the scheduled hearing date and time frame. The evidence established that MDHHS did not call Petitioner for scheduled interviews on multiple occasions. The evidence further established that Petitioner made multiple efforts to be interviewed which went ignored by MDHHS. Despite MDHHS's single call to Petitioner on February 6, 2026, which went unanswered, the single call does not excuse MDHHS's failure to respond to Petitioner's multiple efforts to be interviewed.

Even when ignoring Petitioner's multiple efforts to be interviewed following FAP closure, MDHHS still failed in its procedural requirements. MDHHS testimony acknowledged that a Notice of Missed Interview was not mailed to Petitioner. By not sending a Notice of Missed Interview, MDHHS failed to establish that it gave Petitioner proper notice of FAP closure.

Given the evidence, it is found that MDHHS improperly terminated Petitioner's FAP eligibility. As a remedy, MDHHS will be ordered to complete the redetermination process which shall include an attempt to interview Petitioner.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS improperly terminated Petitioner's FAP eligibility beginning January 2026. It is ordered that MDHHS commence the following actions within 10 days of the date of mailing of this decision:

(1) Reprocess Petitioner's FAP eligibility beginning January 2026 subject to the findings that MDHHS improperly failed to make efforts in interviewing Petitioner and that MDHHS improperly failed to send Petitioner a Notice of Missed Interview form before closure; and

(1) Issue notice and supplements, if any, in accordance with policy.

The actions taken by MDHHS are **REVERSED**.