

ISSUE

Did the Department properly determine Petitioner's eligibility for Food Assistance Program (FAP) benefits effective January 1, 2026 to January 31, 2026?

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 November 3, 2025, the Department sent Petitioner a Semi-Annual Contact Report (SACR) to complete and return to the Department by November 24, 2025, for the benefit period beginning January 1, 2026. (Exhibit A, pp. 6 – 10).
3. On November 20, 2025, the Department sent Petitioner a Verification Checklist (VCL) that requested verification of her last 30 days of income from GOTU (Employer) and loss of employment with Employer. (Exhibit A, pp. 13 – 14).
4. On November 21, 2025, the Department received a completed redetermination application from Petitioner through MiBridges. Petitioner reported that she was employed with Employer. She also reported that as of December 2024, she no longer had self-employment income. (Exhibit A, pp. 11 – 12).
5. On December 3, 2025, the Department sent Petitioner a second VCL and requested verification of Petitioner's loss of employment with Employer. (Exhibit A, p. 16).
6. On December 3, 2025, the Department received verification of Petitioner's loss of employment of a position in September 2025. (Exhibit A, pp. 19 – 23, 26 – 27; p. 38, Serial No. 78).
7. On December 5, 2025, the Department received verification of Petitioner's income from Employer for November 2025. (Exhibit A, p. 24; see also Exhibit A, p. 37, Serial No. 93).
8. The Department did not issue FAP benefits to Petitioner in January 2026.
9. On REDACTED 2026, the Department received a new application for FAP benefits from Petitioner. (Exhibit A, p. 36, Serial No. 104; p. 37, Serial No. 95).
10. On February 11, 2026, the Department received a request for hearing from Petitioner disputing the Department's failure to process her verifications timely and to approve her ongoing FAP benefits effective January 1, 2026, relative to her SACR. (Exhibit A, p. 4).

11. On February 12, 2026, the Department sent Petitioner a Notice of Case Action (NOCA) that approved her for FAP benefits effective January 21, 2026. (Exhibit A, pp. 28 – 29).

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.

In this case, Petitioner requested a hearing to dispute the Department's failure to process her verifications timely and to approve her for FAP benefits effective January 1, 2026, relative to her completed SACR. Petitioner testified that when she did not receive FAP benefits in January 2026, she submitted a new application. The Department approved Petitioner's REDACTED 2026 FAP application on February 12, 2026, and issued her prorated benefits from January 21, 2026.

At application and redetermination, the Department must thoroughly review all eligibility factors in the case, including verifying all countable earned and unearned income available to the client. BAM 105 (June 2025), pp. 17 – 18; BAM 130 (May 2024), p. 1; BAM 210 (July 2025), p. 1; BEM 500 (January 2026), pp. 13 – 14. To request verification of information, the Department sends a VCL which tells the client what verification is required, how to obtain it, and the due date. BAM 130, p. 3. The Department must assist clients who need and request help to obtain verifications. BAM 130, p. 3; BAM 210, p. 1. If neither the client nor the local office can obtain verification despite a reasonable effort, the Department is to use the best available information. BAM 130, p. 4.

When a completed SACR and verifications are returned by the last day of the sixth month of the certification period, the Department must process the changes to ensure the client's benefits are available no later than 10 days after their normal issuance date in the seventh month of the benefit period. BAM 210, p. 14.

There was no dispute that when Petitioner completed and returned her SACR to the Department, she reported that she was employed by Employer and ceased to have separate self-employment income a year prior. The Department acknowledged that it received verification of Petitioner's income from Employer on December 5, 2025. Additionally, the evidence established that Petitioner reported to the Department on December 5, 2025, that Employer was a temporary staffing service; and further, that she

was not on assignment with Employer and did not know how to provide proof under those circumstances. (Exhibit A, pp. 37 – 38, Serial No. 86).

The record established that Petitioner promptly provided the verifications within her control to the Department; however, there was no evidence that the Department processed the verifications. Additionally, although Petitioner sought guidance from the Department regarding how to verify her employment status with Employer, there was no evidence that the Department provided any assistance to her in that regard. Further, although the Department testified that it had no record of sending notice to Petitioner that it closed her FAP case effective January 1, 2026, there was no dispute that the Department did not issue ongoing FAP benefits to her in January 2026.

Closing Petitioner's FAP case or failing to issue ongoing FAP benefits to her constitutes a negative action. BAM 220 (October 2025), p. 1. Because Petitioner made a reasonable effort to provide the verifications the Department requested and advised it of the difficulties she was having in obtaining verification of a loss of employment from Employer under the circumstances, the Department had an obligation to assist her and give her an opportunity to resolve the issue before it took any negative action in her case.

Based on the totality of the evidence and testimony, the Department failed to satisfy its burden of showing that it acted in accordance with Department policy when it failed to issue Petitioner FAP benefits effective January 1, 2026.

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 failed to satisfy its burden of showing that it acted in accordance with Department policy when it failed to issue Petitioner FAP benefits effective January 1, 2026.

Accordingly, the Department's decision 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. Reinstate Petitioner's FAP case and redetermine her eligibility for FAP benefits effective January 1, 2026;
2. If Petitioner is eligible for any supplemental FAP benefits, issue supplemental payments to Petitioner for any FAP benefits she was eligible to receive but did not, effective January 1, 2026; and
3. Notify Petitioner of its decision in writing.