

ISSUE

Did the Department properly determine that Petitioner was eligible for a FAP benefit of \$79.00 per month beginning March 1, 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 is an ongoing recipient of FAP benefits.
2. Petitioner has a household size of 1.
3. Petitioner is a FAP senior/disabled/veteran (SDV) group.
4. Petitioner receives Retirement, Survivors, and Disability Insurance (RSDI) income of REDACTED per month.
5. Petitioner submitted verification of medical expenses of \$165.00.
6. Petitioner pays rent of \$366.00 per month, and Petitioner is responsible for Petitioner's heating/cooling utilities.
7. On February 18, 2026, the Department mailed a Notice of Case Action to Petitioner to notify Petitioner that the maximum FAP benefit Petitioner was eligible for was \$79.00 per month beginning March 1, 2026.
8. On February 24, 2026, Petitioner requested a hearing to dispute Petitioner's FAP benefit amount.

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 FAP 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 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 is disputing the Department's determination that the maximum FAP benefit Petitioner was eligible for was \$79.00 per month beginning March 1, 2026. Petitioner testified that Petitioner is disputing the Department's FAP budget calculation as Petitioner submitted proof of expenses that are not included.

The Department's Hearing Summary packet included Petitioner's February 24, 2026, hearing request, a February 18, 2026, Notice of Case Action, and a February 18, 2026, Report Change form; however, no further documentation was provided to show the Department properly calculated Petitioner's budget when making its eligibility determination beginning March 1, 2026. Accordingly, the Department failed to meet its burden of going forward and establishing that it properly determined Petitioner's eligibility for FAP benefits beginning March 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 establish that it properly determined Petitioner's FAP benefit amount beginning March 1, 2026.

IT IS ORDERED that 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. Redetermine Petitioner's eligibility for FAP benefits beginning March 1, 2026.
2. Issue any FAP benefits that Petitioner is otherwise eligible to receive.