

ISSUE

Did the Department properly process Petitioner's Food Assistance Program (FAP) case following a Hearing Decision issued by the Michigan Office of Administrative Hearings and Rules (MOAHR)?

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 February 9, 2026, a hearing was held by Administrative Law Judge (ALJ) Alice Elkin in Michigan Office of Administrative Hearings and Rules (MOAHR) Case No. 25-048565 concerning whether the Department properly calculated Petitioner's FAP benefits effective October 1, 2025. (Exhibit A, p. 13).
2. On February 10, 2026, the Department submitted a ticket in Petitioner's case to its Policy Unit for supplemental benefits for October, November, and December 2025.
3. On February 11, 2026, ALJ Elkin issued a Hearing Decision in which she found that the Department did not act in accordance with policy when it budgeted Petitioner's unearned income. ALJ Elkin ordered the Department to (i) recalculate Petitioner's unearned income, if any, and request verifications from her if necessary, and (ii) if it found that Petitioner was eligible, issue her supplemental FAP benefits effective October 1, 2025. The Department was ordered to comply with the Hearing Decision within ten days. (Exhibit A, p. 17).
4. On February 24, 2026, the Department received a request for hearing from Petitioner disputing the Department's failure to comply with the Hearing Decision and issue her full monthly FAP benefits for October, November, and December 2025. (Exhibit A, pp. 3 – 5).
5. The Department's Policy Unit informed the Department that verification of Petitioner's actual child support income was required.
6. On March 5, 2026, the Department sent Petitioner correspondence and a Verification Checklist (VCL) that requested a written statement from her daughter (Daughter) regarding the amount of child support income Daughter returned to Petitioner each month. The verification was due by March 16, 2026. (Exhibit A, pp. 7 – 11).
7. As of March 30, 2026, Petitioner did not provide the requested verification.

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 and alleged that the Department failed to comply with the Hearing Decision issued in MOAHR Case No. 25-048565 because it failed to issue her full monthly FAP benefits for October, November, and December 2025, within ten days of the Hearing Decision.

Generally, when a Hearing Decision is issued regarding FAP benefits, the Department's local office must take any required action within ten calendar days. BAM 600 (July 2025), pp. 43 – 44. Here, the testimony and evidence established that the Department attempted to issue supplemental FAP benefits to Petitioner following her hearing in MOAHR Case No. 25-048565. However, the Department's Policy Unit required verification of the amount of child support Petitioner received from Daughter each month. The record further established that, consistent with the Hearing Decision in MOAHR Case No. 25-048565, the Department promptly requested the verification from Petitioner. Thus, the record established that the Department acted in accordance with BAM 600 following Petitioner's hearing in MOAHR Case No. 25-048565.

Although Petitioner asserted that the Department was ordered to issue her additional FAP benefits for October, November, and December 2025, the Hearing Decision clearly instructed the Department to issue such benefits only if, after it recalculated her unearned income, it determined she was eligible. Petitioner confirmed during the hearing that she did not submit the requested verifications. Because verification of the amount of child support Petitioner actually received was required to recalculate her unearned income and determine her eligibility, and she did not submit the verification, the Department was unable to determine her eligibility for supplemental FAP benefits for October, November, and December 2025.

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 promptly attempted to recalculate Petitioner's unearned income, and requested verifications from her, as ordered in MOAHR Case No. 25-048565.

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