

## **ISSUES**

Did the Department properly deny Petitioner's application for Food Assistance Program (FAP) benefits?

Did the Department properly deny Petitioner's application for State Emergency Relief (SER)?

## **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 REDACTED 2025, Petitioner applied for FAP benefits from the Department. Petitioner reported in her application that she had self-employment income.
2. On December 11, 2025, the Department mailed a verification checklist to Petitioner to obtain additional information to determine Petitioner's eligibility for FAP benefits. The verification checklist instructed Petitioner to provide the Department with proof of her self-employment income by December 22, 2025.
3. Petitioner did not provide the Department with proof of her self-employment income by December 22, 2025.
4. On January 8, 2026, the Department mailed a notice of case action to Petitioner to notify her that she was ineligible for FAP benefits, effective January 1, 2026, because she did not provide proof of her self-employment income.
5. On REDACTED 2026, Petitioner applied for SER from the Department.
6. On or about January 15, 2026, Petitioner attempted to email proof of her self-employment income to the Department. Petitioner sent the information to an email address provided by the Department, but the email address was incorrect.
7. On January 28, 2026, the Department mailed an SER verification checklist to Petitioner to obtain additional information to determine Petitioner's eligibility for SER. The verification checklist instructed Petitioner to provide the Department with proof of her self-employment income by February 4, 2026.
8. Petitioner did not provide the Department with proof of her self-employment income by February 4, 2026.

## **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).

## FOOD ASSISTANCE

The Food Assistance Program (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, the Department denied Petitioner's application for FAP benefits because the Department determined that Petitioner did not provide verification as instructed. Petitioner is disputing the Department's decision. Thus, the issue is whether the Department properly denied Petitioner's application for FAP benefits for failing to provide verification.

Verification is usually required at application/redetermination and for a reported change affecting eligibility. BAM 130 (May 1, 2024), p. 1. The Department must tell the client what verification is required, how to obtain it, and the due date. *Id.* at 3. The client must obtain required verification, but the local office must assist if the client needs help and requests it. *Id.* The Department must give the client 10 days to provide the requested verification. *Id.* at 7. Verifications are considered timely if received by the due date. *Id.* The Department must send a negative action notice when (1) the client refuses to provide the requested verification or (2) the client has failed to make a reasonable effort to provide the verification by the due date. *Id.*

Based on the evidence presented, the Department properly instructed Petitioner to provide verification of her self-employment income. The Department is required to verify all income at application. BEM 500 (April 1, 2022), pp. 13-14. Thus, the Department was required to verify Petitioner's self-employment income after Petitioner notified the Department in her application that she was receiving self-employment income. The Department told Petitioner what verification was required, how to obtain it, and the due date. It was Petitioner's responsibility to obtain the verification. Petitioner did not provide the verification as instructed, and Petitioner did not present sufficient evidence to establish that she made a reasonable effort to provide it.

Since Petitioner did not provide the verification as instructed, and since Petitioner did not establish that she made a reasonable effort to provide it by the due date, the Department was required to send a negative action notice to Petitioner, which meant that the Department was required to notify Petitioner that her request for FAP benefits was denied. Thus, the Department acted in accordance with BAM 130 when it denied Petitioner's request for FAP benefits. Therefore, the Department's decision is affirmed.

## STATE EMERGENCY RELIEF

The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

In this case, the Department denied Petitioner's application for SER because the Department determined that Petitioner did not provide verification as instructed. Petitioner is disputing the Department's decision. Thus, the issue is whether the Department properly denied Petitioner's application for SER for failing to provide verification.

When an individual requests SER assistance from the Department, the Department is required to obtain the information necessary to determine the client's eligibility. ERM 103 (October 1, 2025), p. 1. The Department does this by requesting verification from the client. *Id.* at p. 6. The Department must inform the client of all verifications that are required and where to return verifications. *Id.* The due date is eight calendar days, which begins when the SER verification checklist is generated. *Id.* Verifications are considered timely if received by the due date. *Id.* at 6-7. The client must make a reasonable effort to obtain required verifications. *Id.*

Petitioner asserted that she provided the Department with proof of her self-employment income on or about January 15, 2026, but the Department did not receive it. The Department subsequently requested verification of Petitioner's self-employment income from Petitioner on January 28, 2026. The Department explained in its verification checklist what information was required, and the Department gave Petitioner eight days to respond as required by policy. Petitioner did not provide the verification as instructed, and Petitioner did not present sufficient evidence to establish that she made a reasonable effort to provide it. Therefore, the Department properly denied Petitioner's request for SER.

### **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 its policies and the applicable law when it denied Petitioner's application for FAP benefits, and the Department acted in accordance with its policies and the applicable law when it denied Petitioner's application for SER.

**IT IS ORDERED** that the Department's decision is **AFFIRMED**.