

DEPARTMENT PHILOSOPHY

Michigan Department of Health and Human Services (MDHHS) has a unique opportunity to assist families in becoming strong, viable, participative members of the community. By involving the adult members of the household in employment-related activities, we help restore self-confidence and a sense of self-worth. These are cornerstones to building strong, self-reliant families.

The goal of the Food Assistance Program (FAP) is to ensure sound nutrition among children and adults. In addition, the goal of our employment-related policies for FAP groups is to assist applicants and recipients toward self-sufficiency by providing them with opportunities to pursue employment and/or education and training.

DEPARTMENT POLICY

Use this item to determine work-related activities and deferrals for FAP recipients.

Also use this item when Family Independence Program (FIP) or Refugee Cash Assistance (RCA) closes for any reason other than a penalty or disqualification.

The items listed below must be used when FIP or RCA close due to noncompliance and a penalty or disqualification is imposed.

If the noncompliant individual:

- Received FIP and FAP on the date of noncompliance; see Bridges Eligibility Manual [BEM 233A, Failure To Meet Employment And/Or Self-Sufficiency-Related Requirements :FIP](#).
- Received RCA and FAP on the date of noncompliance; see [BEM 233C Failure To Meet Employment Requirements: RCA](#).
- Did not receive FIP or RCA on the date of noncompliance; see [BEM 233B, Failure To Meet Employment Requirements: FAP](#).

See [BEM 620 Time Limited Food Assistance \(TLFA\)](#) for more specific work requirements that apply to TLFA recipients.

WORK REQUIREMENTS

Non-deferred adult members of FAP groups must comply with certain work-related requirements in order to receive food assistance.

However, unlike cash benefits, which are tied to participation in Partnership. Accountability. Training. Hope. (PATH), there are no hourly requirements for the Food Assistance Program. In order to receive FAP benefits, non-deferred adults must comply with the following work requirements:

Non-deferred adults must be registered for work and be informed of work requirements.

Non-deferred adults who are already working may not do any of the following:

- Voluntarily quit a job of 30 hours or more per week without good cause.
- Voluntarily reduce hours of employment below 30 hours per week without good cause.

Note: If the job quit or reduction in hours occurred more than 30 days prior to the application date, no penalty applies.

Non-deferred adults who are not working or are working less than 30 hours per week must:

- Provide the State agency or its designee with sufficient information regarding employment status or availability for work.
- Accept a valid offer of employment.
- Participate in activities required to receive unemployment benefits if the individual has applied for or is receiving unemployment benefits.

Note: If an individual is an applicant or recipient of unemployment benefits, they must follow through with the unemployment benefits program's procedures and requirements. This work requirement does not apply to an individual who is clearly not eligible for unemployment benefits.

Do not require an individual to apply for unemployment benefits in order to receive FAP.

Disqualify FAP individuals for noncompliance if the applicant or recipient does not qualify for a deferral (see *Deferrals* in this item) and is non-compliant with one of the FAP work requirements listed in this item.

In order to provide all FAP adults with the opportunity to pursue employment and/or education and training that will lead to self-sufficiency, encourage FAP applicants and recipients to pursue employment services such as job search, employment counseling, education and training, etc.

Workforce Innovation and Opportunity Act (WIOA) services may be available to all adults in a FAP group. Other programs, such as the non-cash recipient program may be available to employed, underemployed, or recently employed adults residing in a household with a child under 18. Every local Michigan Works! Agency (MWA) throughout Michigan operates both of these programs and may provide additional employment and training services. Local variations, restrictions and/or policies may apply. Check with a local MWA to determine what employment and education/training services are available in the area.

Do not disqualify FAP program applicants or recipients for failing to comply with WIOA services or any other suggested employment and training component.

Determine each group member's participation requirement at:

- Application.
- Redetermination.
- Change in circumstance that might affect the person's participation requirement; see [BAM 105, Rights and Responsibilities](#) for changes in circumstances that are required to be reported for the FAP.

INFORMING INDIVIDUALS

Explain all of the following to FAP individuals at application, redetermination, member add and when an individual becomes subject to the work rules:

- FAP work requirements.

- Rights and responsibilities of non-deferred adults in FAP groups.
- Consequences of their failure to comply.
- Right of deferred individuals to participate.
- Reporting requirements.
- What constitutes good cause for noncompliance; see [BEM 233B, Good Cause for Noncompliance](#).

Oral Explanation

All individuals subject to the FAP work-related requirements will be provided an oral explanation of their work requirements and will also receive the MDHHS-6015, Food Assistance Program Work Requirements Notice, at application, redetermination, member add and when an individual becomes subject to the work rules outlining the FAP related work requirements.

The oral explanation outlines the Food Assistance work requirements each individual must follow in order to receive food assistance.

The oral explanation must be customized to the individual and each work requirement that applies to the individual must be explained to the group member at application, redetermination, member add or when an individual becomes subject to the work requirement.

The specialist must also discuss the following:

- How the individual can be deferred from the work requirement; see *Deferrals* in this item.
- What is required to maintain eligibility; see *Work Requirements* in this item.
- What is good cause: see [BEM 233B](#).
- How to report a good cause reason or deferral; see *Deferrals* in this item or [BEM 233B](#) for good cause reasons.

The oral explanation outlines these talking points to assist the specialist with explaining this policy to each individual in the group who is subject to the work requirement.

Note: If an individual subject to the work requirement is not available to hear the oral explanation themselves, the head of household may relay the information to them. Specialists must document the circumstance in Case Comments.

Screening

All individuals must be screened for any deferral they may qualify for at application, redetermination and when an individual becomes subject to the general work requirements.

DEFERRALS

Individuals meeting one of the criteria below are temporarily deferred from employment-related activities and work registration.

Age

Defer a person who is:

- Under age 16 or at least age 60.
- A 16- or 17-year-old who is not the head of household.
- A head of household age 16 or 17 who:
 - Lives with a parent or person in that role.
 - Attends school at least half time.
 - Is enrolled in an employment/training program at least half time.

Verification:

See [BEM 240, Age](#) and [BEM 245, School Attendance And Student Status](#) for verification requirements.

Care of a Child

Defer one person who personally provides care for a child under age six, even if the child is not a member of the FAP group, nor resides with the caregiver.

Verification:

Client statement, unless questionable.

Care of Disabled Individual

Defer one person who personally provides care for a disabled individual, even if the disabled individual is not a member of the FAP group, nor resides with the caregiver.

Verification:

Client statement, unless questionable.

If questionable, use a statement from an M.D./D.O./P.A. that the individual's presence is needed to assist the disabled individual with minimum daily activities of living.

Disability

Defer individuals incapacitated due to injury, pregnancy complication, physical illness, or mental illness.

Verification: Verify a reason for deferral only if it is not obvious and the information provided is questionable (unclear, inconsistent or incomplete).

Sources that may be used to verify questionable information are:

- SSI/RSDI/MA approval or receipt based on disability or blindness. For SSI and RSDI, use one of the sources referenced in FIP policy, Care of Disabled Spouse or Disabled Child, in [BEM 230A](#).
- An evaluation signed by a fully licensed psychologist that the individual has an IQ of 59 or less.
- Statement from an M.D./D.O./P.A. that the person is unable to work.
- The DHS-54A, Medical Needs; DHS-49, Medical Examination Report; DHS-49-D, Psychiatric/Psychological Examination Report; or another written statement is acceptable.
- A medically documented pregnancy complication confirmation by an M.D./D.O./P.A., certified nurse-midwife, ob-gyn nurse practitioner or ob-gyn clinical nurse specialist, which must include an expected date of delivery.

Education

An individual enrolled in a post-secondary education program meeting eligible student status, as defined in [BEM 245, Student Status](#).

Verification:

Information known to the agency based on student status eligibility determination.

Employment

Individuals employed, self-employed or in work study an average of 30 hours or more per week over the benefit period **or** earning on average the federal minimum wage times 30 hours per week are **not** required to participate in any further employment-related activities. This includes migrant or seasonal farm workers with an employer or crew chief contract/agreement to begin work within 30 days.

Note: Refugee Cash Assistance (RCA) and Refugee Matching Grant (MG) applicants and/or recipients who are meeting participation requirements, as determined by the Refugee Contractor (RC) are not required to participate in any further employment-related activities.

Verification:

See Verification Sources in [BEM 501, Income From Employment](#), [BEM 502, Income from Self-Employment](#), [BEM 503, Income, Unearned](#), to verify income.

SSI/FAP Applicants

Defer applicants who apply for both SSI and FAP through the Social Security Administration. The application for SSI and FAP must be made at the same time.

Note: The deferral must be re-evaluated if it is later determined the individual is ineligible for SSI.

Verification:

Information known to the agency.

**Substance Abuse
Treatment Center
Participant**

Defer active participants in inpatient or outpatient programs for substance abuse treatment and rehabilitation. This does not include AA or NA group meetings.

Verification:

Client statement, unless questionable.

If questionable, use a verbal or written statement from the center.

**Unemployment
Compensation
(UC) Applicant or
Recipient**

Defer an applicant for or recipient of unemployment benefits. This includes an individual whose unemployment benefits application denial is being appealed.

Verification:

Client statement, unless questionable.

If questionable, use the DHS-32, UCB Claims Information Request, to verify.

**FAE&T VOLUNTEER
REFERRALS**

The FAP Employment and Training (FAE&T) volunteer referral is an opportunity for single adults and families who are receiving FAP benefits to participate in a volunteer employment and training program through the MWA and partnering agencies. This is also a good way for TLFA participants to meet their work requirement.

Requirements

A FAE&T volunteer referral can be made for anyone who is:

- Age 18-59.
- The individual must be pending or active FAP benefits.
- The individual cannot be pending or active TANF/FIP benefits.
- The individual must be work ready.

Screening for FAE&T Volunteer Referrals

A FAE&T volunteer referral can be made for a FAP Family or a single adult recipient. The focus of the FAE&T volunteer referral is on families and single adults who are not employed and are work ready.

Specialists must screen for FAE&T volunteer referrals at application, redetermination or any contact if the interview is waived.

The specialist must explain the FAE&T program to the individual, what services are offered through the program and if they are interested in attending. The specialist must inform the individual the program is voluntary and there will be no negative impact on their FAP case if they choose not to attend the FAE&T program.

If the individual is interested in attending the FAE&T program a referral must be entered in Bridges. The referral will interface over night to the OSMIS system notifying the MWA of the referral. The MWA will contact the individual to schedule a date and time to attend orientation.

The specialist must document in case comments:

- If the individual is interested in the FAE&T program.
- If a referral was entered into Bridges.

FAE&T PROVIDER DETERMINATION

Participation in the FAP Employment and Training program (FAE&T) is a way for individuals subject to work registration requirements to volunteer at the MWA to learn valuable skills that will assist the individual with becoming employable.

A FAE&T provider determination is issued when a participant is not a good fit for an Employment and Training component when volunteering at the MWA.

If it is determined that the individual is not a good fit for the FAE&T program, the MWA will notify the MDHHS specialist within 10 days of the provider determination being made via the FAE&T provider determination interface in Bridges. The specialist will receive a task and reminder notifying them to contact the individual. The MDHHS

specialist must contact the individual within 10 days of the provider determination being issued.

The MDHHS specialist will discuss the reason for the provider determination and what the next steps will be for the individual. The MDHHS specialist must document in case comments that the individual has been contacted about the provider determination and what was discussed during the call.

Note: Provider determinations apply to all TLFA and non-TLFA individuals subject to work registration.

For non-TLFA individuals, the MDHHS specialist will explain that there will be no negative impact on the individuals benefits as a result of the provider determination since participation is voluntary.

F&T Provider Determination Options

If it is determined that an individual is not a good fit for an F&T component when volunteering at the MWA, one of the following options must be completed by the next redetermination:

Option 1: Refer the individual to an appropriate employment and training component.

- The MDHHS specialist should reassess the individual to determine if a referral back to the F&T program is appropriate. The individual may be better suited for a deferral or referral to another F&T component.
- There is an appropriate and available component in the F&T program.
- The individual must also receive case management services.

Option 2: Reassess the individual for mental or physical fitness.

- If the individual is not mentally or physically fit, the individual will not be referred to the F&T program.
- The specialist must also choose to reassess the individual for other deferrals from the general work requirement as applicable.

Option 3: Coordinate with other federal, state, or local work force or assistance programs to identify work opportunities or assistance for the individual.

- Consider this option for individuals with needs that fall outside of the scope of the FAE&T program.

LEGAL BASE

FAP

Food Stamp Act of 1977, as amended
7CFR Parts 272 and 273
FNS Waiver 2040026