

STATE OF MICHIGAN  
STATE OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ADMINISTRATIVE HEARINGS FOR THE  
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF: [REDACTED],  
Claimant

Reg. No: 20098357  
Issue No: 2006  
Case No: [REDACTED]  
Load No: [REDACTED]  
Hearing Date:  
July 8, 2009  
Wayne County DHS (17)

ADMINISTRATIVE LAW JUDGE: Lawrence Hollens

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon claimant's request for a hearing pursuant to the provisions of Public Act 294 the Public Acts of 1998 and Regulation 400.3155 Michigan Administrative Code upon claimant's request for hearing received by the department on October 31, 2008. After due notice, a telephone hearing was conducted from the Greenfield Office of the Department of Human Services on July 8, 2009. The claimant appeared and testified. [REDACTED] and [REDACTED] [REDACTED] appeared on behalf of the Department.

ISSUE

Whether the Department has properly denied the claimant's request for State Disability Assistance, SDA, as a result of this preceding SSI?

FINDINGS OF FACT

The Administrative Law Judge, based upon the competent, material and substantial evidence on the whole record, finds as material fact:

- (1) On October 27, 2008, claimant applied for cash assistance.
- (2) On October 31, 2008, the Department issued a denial of SDA due to the claimant's receipt of SSI.
- (3) On October 31, 2008, the claimant requested a hearing on the SDA denial.

CONCLUSIONS OF LAW

The SDA program was established by Public Act 294 of the Public Acts of 1998 and as administered by the Department of Human Services. The claimant does not dispute that he is receiving SSI. Further, he acknowledged the monthly amount that he was receiving in SSI. The Department maintained that SSI renders the claimant monetarily ineligible for her SDA as the recipient cannot receive benefits under both programs simultaneously. The monthly eligibility requirements of SDA preclude the receipt of both forms of assistance by any individual claimant.

Accordingly, the Department's denial of SDA is affirmed.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department's denial of the claimant's application for SDA be upheld.

Accordingly, it is ordered the Department's denial of the SDA application is affirmed.

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/s/  
Lawrence Hollens  
Administrative Law Judge  
for Ismael Ahmed, Director  
Department of Human Services

Date Signed: 08/18/09

Date Mailed: 08/18/09

LH/kj

20098357/LH

cc:

