

STATE OF MICHIGAN
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
FOR THE
DEPARTMENT OF HUMAN SERVICES

IN THE MATTER OF:

[REDACTED]

Reg. No: 2011-29081

Issue No: 4003

[REDACTED]

May 12, 2011

Saginaw County DHS

ADMINISTRATIVE LAW JUDGE: Vicki L. Armstrong

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 received on [REDACTED]. After due notice, a telephone hearing was held on [REDACTED]. Claimant personally appeared and provided testimony.

ISSUE

Whether the department properly denied Claimant's State Disability Assistance (SDA) eligibility?

FINDINGS OF FACT

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

1. Claimant submitted a Redetermination for State Disability Assistance (SDA). (Hearing Summary).
2. On January 8, 2011, the department mailed Claimant a Notice of Case Action closing his SDA benefits effective February 1, 2011 because he failed to submit documentation to complete disability determination. (Department Exhibits 2-4).
3. A Verification of MRS Status signed by Claimant on February 18, 2010, shows his Michigan Rehabilitation Services (MRS) program was active until August 18, 2010. (Department Exhibit 1).

4. Claimant submitted a hearing request on March 1, 2011, protesting the denial of his SDA application. (Request for a Hearing).

CONCLUSIONS OF LAW

The regulations governing the hearing and appeal process for applicants and recipients of public assistance in Michigan are found in the Michigan Administrative Code, MAC R 400.901-400.951. An opportunity for a hearing shall be granted to an applicant who requests a hearing because his claim for assistance is denied. MAC R 400.903(1).

Clients have the right to contest a department decision affecting eligibility or benefit levels whenever it is believed that the decision is incorrect. The department will provide an administrative hearing to review the decision and determine the appropriateness. BAM 600.

The State Disability Assistance (SDA) program, which provides financial assistance for disabled persons, was established by 2004 PA 344. The Department of Human Services (DHS or department) administers the SDA program pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180.

State Disability Assistance (SDA) is a cash program for individuals who are not eligible for the Family Independence Program (FIP) and are disabled or the caretaker of a disabled person. An SDA eligibility determination group (EDG) consists of either a single adult or adult and spouses living together. BEM 214.

The department explained that Claimant had only been approved for SDA because he was participating in the Michigan Rehabilitation Services (MRS) from February 18, 2010 through August 18, 2010. Once Claimant was no longer participating in the MRS program, Claimant was no longer eligible for SDA because he was not disabled, caring for a disabled person, or age 65 or older as per policy BEM 261.

In this case, Claimant did not disagree with the department's denial of his SDA benefits, because he admitted he is no longer in the Michigan Rehabilitation Services program. Claimant requested the hearing in search of direction because he needs medical insurance. Based on based upon the competent, material and substantial evidence submitted during the hearing, the Administrative Law Judge finds that the department acted properly by closing Claimant's SDA benefit case.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the department properly closed Claimant's SDA benefit case.

Accordingly, the department's decision is UPHELD.

