

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

**IN THE MATTER OF:**



Reg. No.: 2011-29119  
Issue Nos.: 2000, 5000  
Case No.: [REDACTED]  
Hearing Date: May 23, 2011  
DHS County: Wayne (82-57)

**ADMINISTRATIVE LAW JUDGE:** Colleen M. Mamelka

**HEARING DECISION**

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 upon the Claimant's request for a hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan, on Monday, May 23, 2010. The Claimant appeared and testified. [REDACTED] appeared on behalf of the Department of Human Services ("Department").

**ISSUES**

1. Whether the Department properly processed the Claimant's State Emergency Relief ("SER") application?
2. Whether the Department properly processed the Claimant's Medical Assistance ("MA") application?

**FINDINGS OF FACT**

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

1. The Claimant is an MA recipient.
2. On or about March 29, 2011, the Claimant submitted an application for public assistance seeking SER benefits for a water bill.
3. On April 4, 2011, the Department received the Claimant's written request for hearing.

**CONCLUSIONS OF LAW**

The MA program is established by Subchapter XIX of Chapter 7 of The Public Health & Welfare Act, 42 USC 1397, and is administered by the Department, formerly known as the Family Independence Agency, pursuant to MCL 400.10 *et seq.* and MCL 400.105. Department policies are found in the Bridges Administrative Manual (“BAM”), the Bridges Eligibility Manual (“BEM”), and the Bridges Reference Manual (“BRM”).

The SER program is established by 2004 PA 344. The SER program is administered pursuant to MCL 400.10, *et seq.*, and by final administrative rules filed with the Secretary of State on October 28, 1993. MAC R 400.7001-400-7049. Department policies are found in the Emergency Relief Manual (“ERM”). SER helps to restore or prevent shut off of a utility service to include water services. ERM 302. The utility required payment must be met before utility services are authorized. ERM 302. The SER water cap for a group size of one per fiscal year is \$175.00. ERM 302.

In this case, the Claimant asserted that her MA coverage was incorrect. In addition, the Claimant requested a hearing regarding her SER application. During the hearing, the Claimant acknowledged that the SER application regarding her water bill was no longer an issue and, thus, did not need to be addressed. Regarding Claimant’s MA; the Department agreed to recalculate her MA budget to include adding a minor child and spouse. The Claimant was satisfied with the Department’s actions. In light of the settlement, there is no other issue that needs to be addressed.

**DECISION AND ORDER**

The Administrative Law Judge, based on the above findings of fact and conclusions of law, finds the parties have reached a settlement as detailed above.

Accordingly, it is ORDERED:

Pursuant to the settlement, the Claimant’s request for hearing is DISMISSED.

*Colleen M. Mamelka*

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**Colleen M. Mamelka**  
Administrative Law Judge  
For Maura Corrigan, Director  
Department of Human Services

Date Signed: May 25, 2011

2011-29119/CMM

Date Mailed: May 26, 2011

**NOTICE:** Administrative Hearings may order a rehearing or reconsideration on either its own motion or at the request of a party within 30 days of the mailing date of this Decision and Order. Administrative Hearings will not order a rehearing or reconsideration on the Department's motion where the final decision cannot be implemented within 90 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the mailing of the Decision and Order or, if a timely request for rehearing was made, within 30 days of the receipt date of the rehearing decision.

CMM/pf

cc:

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