

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

IN THE MATTER OF:



Reg. No: 201218742
Issue No: 4070
Case No: [REDACTED]
Hearing Date: February 22, 2012
Delta County DHS

ADMINISTRATIVE LAW JUDGE: Kevin Scully

HEARING DECISION

This matter is before the undersigned Administrative Law Judge by authority of MCL 400.9 and MCL 400.37. Claimant's request for a hearing was received on December 5, 2011. After due notice, a telephone hearing was held on Wednesday, February 22, 2012.

ISSUE

Whether the Department of Human Services (Department) properly closed the Claimant's State SSI Payment (SSP) benefits?

FINDINGS OF FACT

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

1. The Claimant was an ongoing State SSI Payment (SSP) recipient.
2. The Claimant stopped receiving Supplemental Security Income (SSI) benefits and began receiving Retirement, Survivors, and Disability Insurance (RSDI) benefits.
3. The Department terminated the Claimant's State SSI Payment (SSP) benefits.
4. The Department received the Claimant's request for a hearing on December 5, 2011, protesting the closure of his State SSI Payment (SSP) benefits.

CONCLUSIONS OF LAW

The State Supplementary Security Income program was established pursuant to Title XVI of the Social Security Act in 42 USC 1381, et seq., and implemented by the

provisions of Title 20 of the Code of Federal Regulations (CFR). The Department of Human Services (Department) administers the State SSI program pursuant to 2002 PA 529, MCL 400.10, et seq., and by agreement between the State of Michigan and the United States Secretary of Health and Human Services (Secretary). Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM).

Supplemental Security Income (SSI) is a cash benefit to needy persons who are aged (at least 65), blind or disabled. It is a federal program administered by the Social Security Administration (SSA). States are allowed the option to supplement the federal benefit with state funds. In Michigan, SSI benefits include a basic federal benefit and an additional amount paid with state funds. The amount of the state benefit varies by living arrangement.

The Claimant was an ongoing State SSI Payment (SSP) recipient. The Claimant stopped receiving Supplemental Security Income (SSI) benefits and started receiving Retirement, Survivors, and Disability Insurance (RSDI) benefits. The Department then closed the Claimant's State SSI Payment (SSP) benefits.

State Supplemental Security Income (SSI) are only available to Supplemental Security Income (SSI) recipients that receive their regular payment on the first of the month. Since the Claimant is no longer an Supplemental Security Income (SSI) recipient, he is no longer eligible for the State SSI Payment (SSP) benefits.

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department acted in accordance with policy in determining the Claimant's State SSI Payment (SSP) eligibility.

The Department's State SSI Payment (SSP) eligibility determination is **AFFIRMED**. It is SO ORDERED.

/s/
Kevin Scully
Administrative Law Judge
for Maura D. Corrigan, Director
Department of Human Services

Date Signed: February 23, 2012

Date Mailed: February 23, 2012

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 60 days of the filing of the original request.

The Claimant may appeal the Decision and Order to Circuit Court within 30 days of the receipt 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.

KS/tb

cc:

