

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

IN THE MATTER OF:

[REDACTED]

Reg. No: 201229771
Issue No: 5016
Case No: [REDACTED]
Hearing Date: August 28, 2012
Oakland County DHS

ADMINISTRATIVE LAW JUDGE: Gary F. Heisler

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and MCL 400.37 following Claimant's request for a hearing. After due notice, a hearing was held on August 28, 2012. Claimant appeared and testified.

ISSUE

Did the Department properly process Claimant's November 7, 2011 application for State Emergency Relief (SER) benefits?

FINDINGS OF FACT

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

1. On November 7, 2011, Claimant applied for State Emergency Relief (SER) benefits.
2. On November 16, 2011, the Department paid the [REDACTED] Claimant had applied for.
3. On January 17, 2012, Claimant filed a hearing request.
4. On February 9, 2012, Michigan Administrative Hearing System (MAHS) sent Claimant a letter informing him that his request for hearing could not be scheduled for a hearing because the Department had not done anything negative regarding his SER application.
5. On August 1, 2012, Claimant contacted Michigan Administrative Hearing System (MAHS) and stated he had submitted another request for hearing in June because he did not think DHS had made a payment. Claimant's

January 17, 2012 request for hearing was re-opened and scheduled for this hearing.

CONCLUSIONS OF LAW

Department policies are contained in the Bridges Administrative Manual (BAM), the Bridges Eligibility Manual (BEM), and the Reference Tables Manual (RFT).

The State Emergency Relief (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 of Human Services (DHS or department) policies are found in the State Emergency Relief Manual (SER).

During this hearing Claimant asserted he had submitted another SER application about a [REDACTED] [REDACTED] for [REDACTED] and that later application was the issue of his January 17, 2012 request for hearing. A detailed analysis of the evidence presented, applicable Department policies, and reasoning for the decision are contained in the recorded record. During the hearing Claimant was informed of the decision about the November 7, 2011 SER application and the reasoning behind the decision.

DECISION AND ORDER

The Administrative Law Judge, based upon the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, finds that the Department properly processed Claimant's November 7, 2011 application for State Emergency Relief (SER) benefits.

It is ORDERED that the actions of the Department of Human Services, in this matter, are UPHeld.

/s/ _____
Gary F. Heisler
Administrative Law Judge
For Maura Corrigan, Director
Department of Human Services

Date Signed: September 4, 2012

Date Mailed: September 5, 2012

NOTICE: Michigan Administrative Hearing System (MAHS) 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. MAHS 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.

GFH/tb

cc:

