

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

IN THE MATTER OF:

████████████████████
████████████████████
████████████████████

Reg. No.: 2012-70672
Issue No.: 4020
Case No.: ██████████
Hearing Date: March 25, 2013
County: Wayne (82)

ADMINISTRATIVE LAW JUDGE: Jan Leventer

HEARING DECISION

This matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9, MCL 400.37 and Claimant's request for a hearing. After due notice, a telephone hearing was held on March 25, 2013, at Detroit, Michigan. The Claimant appeared and testified at the hearing. Participants on behalf of the Department of Human Services (Department) were ██████████, Eligibility Specialist.

ISSUE

Did the Department correctly terminate Claimant's State Disability Assistance (SDA) benefits?

FINDINGS OF FACT

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

1. Claimant received State Disability Assistance (SDA) benefits.
2. On August 1, 2012, the Department closed Claimant's SDA.
3. On July 19, 2012, the Department sent Claimant a Notice of Case Action notifying him of the closure.
4. On August 13, 2012, Claimant filed a request for an Administrative Hearing.

CONCLUSIONS OF LAW

State Disability Assistance (SDA) provides financial assistance for disabled persons and was established by 2004 PA 344. The Department administers SDA pursuant to MCL 400.10, *et seq.*, and MAC R 400.3151-400.3180. Department policies are found in Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM) and the Reference Tables (RFT).

Bridges Administrative Manual (BAM) 105, "Rights and Responsibilities," requires the Department to determine eligibility, provide benefits and protect client rights. The customer, for his or her part, is required to cooperate with all Department requests for information and documents necessary in order to determine eligibility, provide benefits and protect client rights. Department of Human Services Bridges Administrative Manual (BAM) 105 (2013).

In this case the Department required Claimant to provide documentation regarding proof of discharge from an inpatient treatment center, proof of enrollment in a post-treatment outpatient program, and, his current address. The Department required the verification within ten days of the completion date of the inpatient treatment. Dept. Exh. 1, p. 19.

On June 16, 2012, Claimant completed his inpatient treatment. *Id.*, p. 28. Thus the deadline for cooperating with the Department would be June 26, 2012, ten days later.

On August 8, 2012, the Department received the necessary verification. *Id.*, pp. 27, 40.

Having considered all of the evidence in this case as a whole, it is found and determined that Claimant did not fulfill his responsibility to cooperate by providing necessary documentation to the Department. The Department gave ten days for submission of the documentation, and Claimant failed to do so. It is found and determined that the Department acted correctly in this case in terminating Claimant's SDA benefits August 1, 2012. The Department shall be affirmed.

In conclusion, based on all of the evidence of record and the findings of fact and conclusions of law above, it is found and determined that the Department is affirmed. The Department correctly terminated Claimant's SDA benefits, and need take no further action with regard to said decision.

The Department's termination of SDA benefits to Claimant is **AFFIRMED.**

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 is AFFIRMED with regard to the termination of Claimant's SDA benefits effective August 1, 2012.



Jan Leventer
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: June 6, 2013

Date Mailed: June 6, 2013

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. (60 days for FAP cases)

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.

Claimant may request a rehearing or reconsideration for the following reasons:

- A rehearing **MAY** be granted if there is newly discovered evidence that could affect the outcome of the original hearing decision.
- A reconsideration **MAY** be granted for any of the following reasons:
 - misapplication of manual policy or law in the hearing decision,
 - typographical errors, mathematical error, or other obvious errors in the hearing decision that effect the substantial rights of the claimant:
 - the failure of the ALJ to address other relevant issues in the hearing decision.

Request must be submitted through the local DHS office or directly to MAHS by mail at
Michigan Administrative Hearings
Reconsideration/Rehearing Request
P. O. Box 30639
Lansing, Michigan 48909-07322

JL/tm

cc: [REDACTED]
[REDACTED]
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