

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

IN THE MATTER OF:

[REDACTED]

Reg. No.: 2013-25000
Issue No.: 4070
Case No.: [REDACTED]
Hearing Date: [REDACTED]
County: Washtenaw DHS

ADMINISTRATIVE LAW JUDGE: Kevin Scully

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 telephone hearing was held on [REDACTED], from Lansing, Michigan. Participants on behalf of Claimant included [REDACTED]. Participants on behalf of Department of Human Services (Department) included [REDACTED].

ISSUE

Whether the Department of Human Services (Department) properly determined the Claimant's State Supplemental Security Income (SSI) 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. The Claimant was an ongoing State Supplemental Security Income recipient.
2. The Claimant did not receive a regular Supplemental Security Income (SSI) payment from the Social Security Administration for [REDACTED].
3. The Department did not issue a State Supplemental Security Income payment for the period of [REDACTED] through [REDACTED].
4. The Department received the Claimant's request for a hearing on [REDACTED] protesting the Department's failure to issue a State

Supplemental Security Income payment for [REDACTED], through [REDACTED]

CONCLUSIONS OF LAW

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. Department of Human Services Bridges Eligibility Manual (BEM) 660 (November 1, 2012), pp 1-3.

Payments are made for only those months the recipient received a regular first of the month federal benefit. These are shown on SOLQ as a recurring payment dated the first of the month. SSPs are not issued for retroactive or supplemental federal benefits. BEM 660.

In this case, the Claimant was an ongoing State Supplemental Security Income recipient. In [REDACTED] the Department received notice that the Claimant had not been issued a regular Supplemental Security Income (SSI) payment from the Social Security Administration. The Department did not issue a State Supplemental Security Income payment for the period of [REDACTED].

The Claimant argued that the reason he did not receive his Supplemental Security Income payment was due to a problem with a change to the type of debit card and automatic deposit he was using to receive his Supplemental Security Income (SSI) payment.

An eligibility factor to receive State Supplemental Security Income benefits is the receipt of a regular Supplemental Security Income payment from the Social Security Administration. The policy does not list any exceptions based on the reason for not receiving the payment from the Social Security Administration.

Based on the evidence and testimony available during the hearing, this Administrative Law Judge finds that the Department properly withheld its State Supplemental Security Income payment because the Claimant did not receive a regular Supplemental Security Income payment in [REDACTED].

DECISION AND ORDER

The Administrative Law Judge, based upon the above findings of fact and conclusions of law, decides that the Department properly determined the Claimant's eligibility for the State Supplemental Security Income program.

The Department's State Supplemental Security Income program 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: 06/19/2013

Date Mailed: 06/19/2013

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

KS/kl

cc:

