

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

IN THE MATTER OF:

████████████████████
██
██

Reg No.: 2013-35801
Issue No.: 2018
Case No.} ██████████
Hearing Date: July 26, 2013
Macomb County DHS (12)

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 Claimant's request for a hearing. After due notice, a telephone hearing was conducted from Detroit, Michigan on Friday, July 26, 2013. Claimant appeared, along with ██████████, and testified. Participating on behalf of the Department of Human Services ("Department") was ██████████.

ISSUE

Did the Department properly terminate Claimant's State Supplemental Payment ("SSP") effective March 2013?

FINDINGS OF FACT

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

1. Claimant was a SSP recipient. (Exhibit 3)
2. Claimant's Supplemental Security Income ("SSI") terminated effective March 2013. (Exhibit 2)
3. On February 19, 2013, the Department sent Claimant a Notice of State SSI Payment Change notifying Claimant he was no longer eligible for the quarterly SSP payment. (Exhibit 1)
4. As a result, Claimant received a \$28.00 SSP payment to cover January and February 2013.

5. On February 25, 2013, the Department received Claimant's written request for hearing.

CONCLUSIONS OF LAW

The Medical Assistance ("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 of Human Services, formally 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").

SSI is a cash benefit to needy persons who are aged (at least 65), blind, or disabled. BEM 660 (November 2012), p. 1) It is a federal program administered by the Social Security Administration. BEM 660, p. 1. In Michigan, SSI benefits are supplemented with state funds which vary by living arrangement. BEM 660, p. 1. SSP are issued quarterly and are paid the last month of each quarter. BEM 660, p. 1. Payments are made for only those months the recipient received a regular first of the month federal benefit. BEM 660, p. 1.

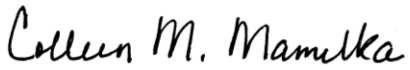
In this case, Claimant's SSI benefits terminated as of March 2013. As such, Claimant was no longer eligible for the quarterly SSP payment. The Department properly notified Claimant of this change. Ultimately, the Department established it acted in accordance with Department policy when it terminated Claimant's SSP quarterly payment when his SSI benefits ceased. Accordingly, the Department's determination is AFFIRMED.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law finds the Department established it acted in accordance with Department policy when it terminated Claimant's SSP quarterly payment when Claimant's SSI benefits closed effective March 2013.

Accordingly, it is ORDERED:

The Department's determination is AFFIRMED.



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

Date Signed: July 31, 2013

2013-35801/CMM

Date Mailed: August 5, 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

CMM/tm

cc: [REDACTED]
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