

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

IN THE MATTER OF:



Reg. No.: 14-000561
Issue No.: 2001;4001
Case No.: [REDACTED]
Hearing Date: May 6, 2014
County: Montcalm

ADMINISTRATIVE LAW JUDGE: Darryl T. Johnson

HEARING DECISION

Following Claimant's request for a hearing, this matter is before the undersigned Administrative Law Judge pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 45 CFR 99.1 to 99.33; and 45 CFR 205.10. After due notice, a telephone hearing was held on May 6, 2014, from Lansing, Michigan. Participants on behalf of Claimant included Claimant. Participants on behalf of the Department of Human Services (Department) included Lead Worker [REDACTED].

ISSUE

Did the Department properly close Claimant's State Disability Assistance (SDA, or cash) and Medicaid (MA) 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. Claimant applied for SDA and MA.
2. On January 13, 2014, the Department mailed to Claimant a Notice to Apply (Exhibit 1 Page 12) informing her that she is "required to file an application for SSI by 01/24/2014."
3. On February 19, 2014 the Department mailed to the Grand Rapids office of the Social Security Administration (SSA) a Verification of Application or Appeal for SSI/RSDI (Exhibit 1 Pages 13-14).
4. On March 5, 2014, the Department mailed a second Verification of Application to the Grand Rapids office of the SSA. (Exhibit 1 Pages 15-16.)
5. Claimant attempted, unsuccessfully, to apply online for SSI benefits.

6. On March 18, 2014, the Department mailed to Claimant a Notice of Case Action (NCA) (Exhibit 1 Pages 4-10) informing her that her SDA and FAP were closed.
7. On April 3, 2014, Claimant requested a hearing.

CONCLUSIONS OF LAW

Department policies are contained in the Department of Human Services Bridges Administrative Manual (BAM), Department of Human Services Bridges Eligibility Manual (BEM), Department of Human Services Reference Tables Manual (RFT), and Department of Human Services Emergency Relief Manual (ERM).

The Medical Assistance (MA) program is established by the Title XIX of the Social Security Act, 42 USC 1396-1396w-5, and is implemented by 42 CFR 400.200 to 1008.59. The Department of Human Services (formerly known as the Family Independence Agency) administers the MA program pursuant to MCL 400.10 and MCL 400.105.

The State Disability Assistance (SDA) program is established by the Social Welfare Act, MCL 400.1-.119b. The Department of Human Services (formerly known as the Family Independence Agency) administers the SDA program pursuant to MCL 400.10 and Mich Admin Code, R 400.3151-.3180.

BEM 270 at page 1 (4/1/14) explains Department policy with respect to the pursuit of benefits by applicants for SDA and FIP. "Individuals must apply for benefits for which they may be eligible. This includes taking action to make the entire benefit amount available to the group." "Refusal of a program group member to pursue a potential benefit results in group ineligibility."

Claimant has not applied for SSI benefits. She attempted to apply but has not successfully completed the application process.

The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department acted in accordance with Department policy when it closed her SDA and FAP benefits.

DECISION AND ORDER

Accordingly, the Department's decision is **AFFIRMED**.



Darryl T. Johnson
Administrative Law Judge
for Maura Corrigan, Director
Department of Human Services

Date Signed: **5/7/2014**

Date Mailed: **5/7/2014**

DTJ / las

cc:

