



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM
Christopher Seppanen
Executive Director

MIKE ZIMMER
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: April 13, 2016
MAHS Docket No.: 16-002118

[REDACTED]
[REDACTED]

ADMINISTRATIVE LAW JUDGE: Carmen G. Fahie

HEARING DECISION

Following Petitioner'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; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held on April 7, 2016, from Lansing, Michigan. The Petitioner was represented by himself. The Department of Health and Human Services (Department) was represented by [REDACTED], Assisted Payment Worker and [REDACTED], Assisted Payments Supervisor.

ISSUE

Did the Department properly deny the Petitioner's application for State Disability Assistance (SDA) because the Petitioner failed to submit the required verifications by the due date?

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 December 2, 2015, the Petitioner applied for SDA.
2. On December 9, 2015, the Department sent the Petitioner a Medical Determination Verification Checklist, DHS 3503 and Reimbursement Authorization, DHS 3975, that was due on December 21, 2015. Department Exhibit 3-5.
3. On January 28, 2016, the Department denied the Petitioner's SDA application because the required verifications were not submitted by the due date. Department Exhibit 8-10.

4. On February 8, 2016, the Department received a hearing request from the Petitioner, contesting the Department's negative action.

CONCLUSIONS OF LAW

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

The State Disability Assistance (SDA) program is established by the Social Welfare Act, MCL 400.1-.119b. The Department of Health and Human Services (formerly known as the Department of Human Services) administers the SDA program pursuant to 42 CFR 435, MCL 400.10 and Mich Admin Code, R 400.3151-.3180.

In this case, the Petitioner applied for SDA on December 2, 2015. On December 9, 2015, the Department sent the Petitioner a Medical Determination Verification Checklist, DHS 3503 and Reimbursement Authorization, DHS 3975, that was due on December 21, 2015. Department Exhibit 3-5. On January 28, 2016, the Department denied the Petitioner's SDA application because the required verifications were not submitted by the due date. Department Exhibit 8-10. On February 8, 2016, the Department received a hearing request from the Petitioner, contesting the Department's negative action. BAM 115, 130, and 815. BEM 261.

During the hearing, the Petitioner stated that he mailed through the United States Post Office, the required verifications on December 15, 2015. However, the Department did not receive any of the required verifications from the Petitioner. In addition, the Petitioner did not follow up with the Department Caseworker to make sure that she received the verifications that he alleged that he had put in the mail. 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 denied the Petitioner's SDA application because he failed to submit the required verifications by the due date.

DECISION AND ORDER

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

CF/db



Carmen G. Fahie

Administrative Law Judge

for Nick Lyon, Director

Department of Health and Human Services

NOTICE OF APPEAL: A party may appeal this Order in circuit court within 30 days of the receipt date. A copy of the circuit court appeal must be filed with the Michigan Administrative Hearing System (MAHS).

A party may request a rehearing or reconsideration of this Order if the request is received by MAHS within 30 days of the date the Order was issued. The party requesting a rehearing or reconsideration must provide the specific reasons for the request. MAHS will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MAHS. If submitted by fax, the written request must be faxed to (517) 335-6088; Attention: MAHS Rehearing/Reconsideration Request.

If submitted by mail, the written request must be addressed as follows:

Michigan Administrative Hearings
Reconsideration/Rehearing Request
P.O. Box 30639
Lansing, Michigan 48909-8139

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[REDACTED]
[REDACTED]

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