



RICK SNYDER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN ADMINISTRATIVE HEARING SYSTEM

SHELLY EDGERTON
DIRECTOR

[REDACTED]

Date Mailed: September 29, 2017
MAHS Docket No.: 17-009595
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Gary Heisler

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 September 13, 2017, from Lansing, Michigan. Petitioner was represented by himself. The Department was represented by Assistance Payment Supervisor [REDACTED]

ISSUE

Did the Department properly deny Petitioner's June 13, 2017 application for cash assistance?

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 June 13, 2017, Petitioner submitted an online Assistance Application (DHS-1171) for Cash Assistance. In the application Petitioner listed household members as himself and three children. Petitioner only indicated that he was applying for Cash Assistance for himself. The application did not state any assistance programs were being requested for the three children.
2. Based on the information in the application, the Department processed Petitioner's application for State Disability Assistance (SDA). Petitioner's \$ [REDACTED] per month of Retirement, Survivor, and Disability Income (RSDI) was used to determine that he was not eligible for State Disability Assistance (SDA) due to excess income.

3. On July 3, 2017, Petitioner was sent a Notice of Case Action (DHS-1605) which stated he was not eligible for Cash Assistance due to excess income.
4. On July 11, 2017, Petitioner submitted a hearing request.

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.

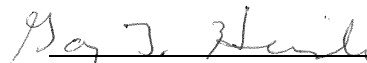
In this case Petitioner intended to submit an application for Family Independence Program (FIP) benefits. However, he did not indicate he was applying for any assistance programs for the children. The application was correctly interpreted as an application of State Disability Assistance (SDA). Denial of State Disability Assistance (SDA) due to excess income was a correct action because Petitioner's RSDI income exceeds the \$ [REDACTED] income standard for SDA.

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 Petitioner's June 13, 2017 application for cash assistance.

DECISION AND ORDER

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

GH/nr



Gary Heisler
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

DHHS

[REDACTED]

Petitioner

[REDACTED]