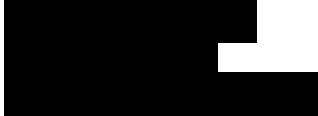




RICK SNYDER  
GOVERNOR

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

SHELLY EDGERTON  
DIRECTOR



Date Mailed: June 21, 2018  
MAHS Docket No.: 18-003448  
Agency No.: [REDACTED]  
Petitioner: [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; 42 CFR 438.400 to 438.424; 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 May 23, 2018, from Lansing, Michigan. The Petitioner was represented by herself. The Department of Health and Human Services (Department) was represented by Katrice Louis, Assistance Payments Worker and Rosalyn Boyle, Assisted Payments Supervisor.

**ISSUE**

Did the Department properly deny the Petitioner's application for State Emergency Relief (SER)?

**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 January 11, 2018, the Petitioner applied for SER for assistance with home repairs for plumbing repairs of \$ [REDACTED] with service to be provided by [REDACTED] Department Exhibit 1, pg. 3.
2. On January 11, 2018, the Department Caseworker approved the Petitioner for SER where she was responsibility to pay \$ [REDACTED] and DHS would pay \$ [REDACTED]. The Petitioner had until February 9, 2018 to provide proof that she had paid her co-pay before the Department would pay the balance. Department Exhibit 1, pg. 2.
3. Subsequently, the Petitioner received a new estimate for another plumbing company of At- [REDACTED] for \$ [REDACTED] Department Exhibit 1, pg. 4.

4. On January 31, 2018, the Petitioner received a new estimate for another plumbing company of [REDACTED] of \$ [REDACTED] Department Exhibit 1, pg. 5.
5. On March 26, 2018, 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 Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department (formerly known as the Department of Human Services) pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

In this case, the Petitioner never submitted written verification to the Department that she had paid her copay by February 9, 2018 of \$ [REDACTED] to [REDACTED] [REDACTED]. She found a cheaper estimate of \$ [REDACTED] from a different plumber, but that was not part of the original SER approval. The Petitioner had the work done on January 31, 2018 so there is no more emergency. ERM 101 and 304.

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 determined that the Petitioner had not paid her copay by February 9, 2018 from lack of written verification, so the Department did not pay their portion. In addition, the Petitioner had the plumbing work done on January 31, 2018, so an emergency no longer exists.

### **DECISION AND ORDER**

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

*Carmen G. Fahie*

CF/nr

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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) 763-0155; 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**

Lori Duda  
30755 Montpelier Drive  
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Oakland 2 County DHHS- via electronic  
mail

BSC4- via electronic mail

T. Bair- via electronic mail

E. Holzhausen- via electronic mail

**Petitioner**

