



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ORLENE HAWKS
DIRECTOR

[REDACTED]
MI [REDACTED]

Date Mailed: January 29, 2021
MOAHR Docket No.: 20-007256
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Aaron McClintic

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 January 12, 2021, from Lansing, Michigan. The Petitioner was represented by himself. The Department of Health and Human Services (Department) was represented by Lori Aumich Hearing Facilitator. Department Exhibit 1, pp. 1-91 was received and admitted.

ISSUE

Did the Department properly deny Petitioner's State Disability Assistance application for failing to provide required information?

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 [REDACTED] 2020, Petitioner applied for SDA.
2. On September 22, 2020, a verification checklist and numerous other documents related to disability determination were sent to Petitioner.
3. On October 5, 2020, a verification checklist was sent to Petitioner granting an extension because documents were incomplete.
4. On October 16, 2020, a Department worker contacted Petitioner and granted a 2nd extension.
5. On October 27, 2020, a Department worker contacted Petitioner on the last day of the verification deadline.

6. On October 29, 2020, a Notice of Case Action was sent to Petitioner informing him that his case was denied for failing to return documentation to complete disability determination.
7. On [REDACTED] [REDACTED] Petitioner requested hearing disputing the denial of SDA.

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.

INCOMPLETE APPLICATIONS

Programs- An incomplete application contains the minimum information required for registering an application. However, it does not contain enough information to determine eligibility because all required questions are not answered for the program(s) for which the client is applying; see BAM 105. When an incomplete application is filed, retain the application and give or send the client the DHS-3503, Verification Checklist. Inform the client of the: • Request for contact to complete missing information. • Due date for missing information. • Interview date, if applicable. BAM 115

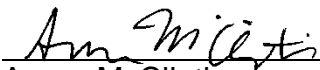
In this case, Petitioner returned paperwork related to disability determination, but the forms were not complete. Petitioner failed to disclose the dates of service for several of his medical providers. The dates of service are necessary for disability determination. Petitioner was clearly instructed and was given several extensions to allow him to submit the completed forms. The Department action to deny Petitioner's application for failing to submit completed documentation was proper and correct and consistent with Department policy. BAM 115

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 SDA application for failing to return completed paperwork necessary for disability determination.

DECISION AND ORDER

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

AM/nr



Aaron McClintic
Administrative Law Judge
for Robert Gordon, 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 Office of Administrative Hearings and Rules (MOAHR).

A party may request a rehearing or reconsideration of this Order if the request is received by MOAHR 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. MOAHR will not review any response to a request for rehearing/reconsideration.

A written request may be mailed or faxed to MOAHR. If submitted by fax, the written request must be faxed to (517) 763-0155; Attention: MOAHR Rehearing/Reconsideration Request.

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

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

DHHS

Lori Aumick
4809 Clio Road
Flint, MI
48504

Genesee- Clio County DHHS- via
electronic mail

BSC2- via electronic mail

L. Brewer-Walraven- via electronic mail

Petitioner

[REDACTED] - via first class mail
[REDACTED]
[REDACTED], MI
[REDACTED]