



RICK SNYDER
GOVERNOR

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

SHELLY EDGERTON
DIRECTOR

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Date Mailed: April 14, 2017
MAHS Docket No.: 17-003364
Agency No.: ██████████
Petitioner: ██████████

ADMINISTRATIVE LAW JUDGE: Alice C. Elkin

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 12, 2017, from Detroit, Michigan. Petitioner, a minor, was present at the hearing and represented by ██████████ his mother. The Department of Health and Human Services (Department) was represented by Brenda Drownicki, Hearing Facilitator.

ISSUE

Did the Department properly close Petitioner's State SSI Payment (SSP) case?

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. Petitioner was a recipient of Supplemental Security Income (SSI) from the federal Social Security Administration (SSA).
2. Petitioner was a recipient of quarterly SSP benefits from the Department tied to his receipt of SSI payments.
3. On February 23, 2017, the Department sent Petitioner a Notice of State SSI Payments Change, notifying him that his SSP payment issued March 14, 2017 would be his last because the Department had been advised by SSA that Petitioner was no longer eligible for SSI (Exhibit B).

4. On [REDACTED] 2017, the Department received Petitioner's mother's request for hearing disputing the closure of Petitioner's SSP case.

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 SSI Payments (SSP) program is established by 20 CFR 416.2001-.2099 and the Social Security Act, 42 USC 1382e. The Department administers the program pursuant to MCL 400.10.

Petitioner's mother requested a hearing to dispute the Department's February 23, 2017 letter notifying Petitioner that his SSP case would close after his SSP payment on March 14, 2017.

SSP is a quarterly payment paid by the State to eligible SSI recipients the last month of each quarter. BEM 660 (January 2016), pp. 1-2. SSP payments are made for only those months the SSI recipient received a regular first of the month federal benefit. BEM 660, p. 1; BAM 600 (October 2015), pp. 29-30. Department policy specifies that these SSI payments are shown on the client's Single Online Query (SOLQ) report as a "recurring payment dated the first of the month." BEM 660, p. 1. Policy further provides that SSPs are not issued for supplemental federal benefits. BEM 660, p. 1.

At the hearing, the Department testified that Petitioner was not eligible for SSP benefits because it was notified by SSA that Petitioner was no longer eligible for SSI. The Department provided a copy of Petitioner's report from the SOLQ, the Department's data exchange with the SSA, into evidence. The SOLQ showed that for payment date January 1, 2017 the payment status was "recurring payment dated the first of the month" but for payment date March 1, 2017 the SSI payment status was "no payment made." Petitioner's mother confirmed that Petitioner last received SSI income in February 2017. Because there was no "recurring payment dated the first of the month" identified for March 1, 2017 or any date thereafter, Petitioner was no longer an SSI recipient eligible for SSP payments.

Because effective in March 2017 Petitioner was no longer an SSI recipient eligible for SSP, the Department acted in accordance with Department policy when it paid Petitioner the final quarterly SSP payment on March 14, 2017 and closed Petitioner's SSP case.

DECISION AND ORDER

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 Petitioner's SSP case.

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



ACE/tlf

Alice C. Elkin
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

Via Email:

DHHS Hearings Coordinator – 12
BSC4 Hearing Decisions
B. Cabanaw
D. Shaw
MAHS

Petitioner First-Class Mail:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]