



GRETCHEN WHITMER
GOVERNOR

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

ORLENE HAWKS
DIRECTOR

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██████████, MI ██████████

Date Mailed: August 11, 2021
MOAHR Docket No.: 21-002956
Agency No.: ██████████
Petitioner: ██████████ ██████████

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 August 5, 2021, from Lansing, Michigan. The Petitioner was represented by his father ██████████ ██████████. The Department of Health and Human Services (Department) was represented by Crystal Hackney, AP Supervisor. Department Exhibit 1, pp. 1-11 was received and admitted.

ISSUE

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

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 SSP benefit.
2. On May 18, 2021, Notice of Payment Change was sent to Petitioner informing him that his SSP was cancelled because he did not receive SSI in the previous quarter.
3. On May 30, 2021, Petitioner requested hearing disputing the closure of SSP benefit.
4. Petitioner last received SSI on February 1, 2021.

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.

The Michigan Department of Health and Human Services (MDHHS) issues the State SSI Payment (SSP) to SSI recipients in the following living arrangements:

- Independent living.
- Household of another. (Living in the household of another person and receiving partial or total support and maintenance in kind from that person.)

- **Note:** For payment levels see RFT 248 Reference Tables.

Payments are made for only those months the recipient received a regular first of the month federal benefit. BEM 660


In this case, Petitioner received his last SSI payment on February 1, 2021. Petitioner's father did not dispute that at hearing. The Department provided adequate proof to establish that Petitioner was no longer receiving SSI and therefore was not entitled to SSP. Therefore, the Department closure was proper and correct. BEM 660

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 benefit because he was no longer receiving SSI.

DECISION AND ORDER

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

AM/nr



Aaron McClintic
Administrative Law Judge

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

Chelsea McCune
27690 Van Dyke
Warren, MI 48093

Macomb 20 County DHHS- via electronic mail

BSC4- via electronic mail

C. George- via electronic mail

EQAD- via electronic mail

Petitioner

██████████ - via first class mail
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██████████, MI ██████████