



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: November 2, 2022  
MOAHR Docket No.: 22-004105  
Agency No.: ██████████  
Petitioner: ██████████ ██████████

**ADMINISTRATIVE LAW JUDGE:** Kevin Scully

### **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. After due notice, a telephone hearing was held on October 25, 2022, from Lansing, Michigan. Petitioner represented herself. The Department was represented by Melissa Stanley.

### **ISSUE**

Did the Department of Health and Human Services (Department) properly deny Petitioner's application for State Emergency Relief (SER) 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 ██████████ ██████████ 2022, the Department received Petitioner's application for State Emergency Relief (SER) assistance. Exhibit A, pp 8-20.
2. On August 1, 2022, the Department sent Petitioner Verification Checklist (DHS-3503) requesting a copy of an actual bill and a statement from a licensed provider for the non-energy home repairs she was requesting assistance with. Exhibit A, pp 23-24.
3. On August 12, 2022, the Department notified Petitioner that her ██████████ ██████████ 2022, application for State Emergency Relief (SER) had been denied. Exhibit A, pp 26-28.
4. On ██████████ ██████████ 2022, the Department received another application for State Emergency Relief (SER) assistance. Exhibit A, pp 31-43.
5. On August 29, 2022, the Department sent Petitioner Verification Checklist (DHS-3503) requesting a copy of an actual bill and a statement from a licensed

provider for the non-energy home repairs she was requesting assistance with. Exhibit A, pp 44-15.

6. On September 8, 2022, the Department notified Petitioner that her [REDACTED] [REDACTED] 2022, application for State Emergency Relief (SER) had been denied. Exhibit A, pp 46-48.
7. On September 14, 2022, the Department received Petitioner's request for a hearing protesting the denial of her application for State Emergency Relief (SER) assistance. Exhibit A, pp 4-6.

### **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 *et seq.* The Department administers the SER program pursuant to MCL 400.10 of the Social Welfare Act, MCL 400.1 *et seq.*, and Mich Admin Code, R 400.7000 through R 400.7049.

Clients must cooperate with the local office in determining initial and ongoing eligibility and this includes the completion of necessary forms. Department of Human Services Bridges Assistance Manual (BAM) 105 (April 1, 2022), p 9.

Verification means documentation or other evidence to establish the accuracy of the client's verbal or written statements. Verification is usually required at application/redetermination and for a reported change affecting eligibility or benefit level when it is required by policy, required as a local office option, or information regarding an eligibility factor is unclear, inconsistent, incomplete, or contradictory. The Department uses documents, collateral contacts, or home calls to verify information. A collateral contact is a direct contact with a person, organization, or agency to verify information from the client. When documentation is not available, or clarification is needed, collateral contact may be necessary. Department of Human Services Bridges Assistance Manual (BAM) 130 (January 1, 2021), pp 1-10.

Petitioner applied for SER assistance on [REDACTED] [REDACTED] 2022, and [REDACTED] [REDACTED] 2022. Following the receipt of each application, the Department requested that Petitioner provide a copy of an actual bill and a statement from a licensed provider for the non-energy repairs she has requesting assistance with. When the Department did not receive the verification documents that were requested, Petitioner's applications for SER assistance were denied.

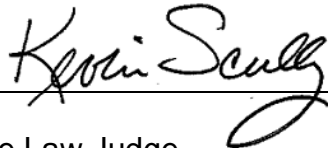
The hearing record supports a finding that Petitioner failed to provide the Department with information necessary to accurately determine her eligibility for SER assistance.

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 ██████ 2022, and ██████ 2022, applications for State Emergency Relief (SER) assistance.

**DECISION AND ORDER**

Accordingly, the Department's decision is AFFIRMED.

KS/nr

  
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Kevin Scully  
Administrative Law Judge  
Michigan Office of Administrative Hearings and  
Rules (MOAHR)

**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

**Via-Electronic Mail :**

**DHHS**  
Elisa Daly  
411 East Genesee  
Saginaw, MI 48607  
**MDHHS-Saginaw-  
Hearings@michigan.gov**

**Interested Parties**  
Saginaw County DHHS  
BSC2  
T. Bair  
E. Holzhausen  
MOAHR

**Via-First Class Mail :**

**Petitioner**

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