



GRETCHEN WHITMER
GOVERNOR

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

ORLENE HAWKS
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED], MI [REDACTED]

Date Mailed: June 23, 2023
MOAHR Docket No.: 23-002997
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Ellen McLemore

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 June 22, 2023, via conference line. Petitioner was represented by his Authorized Hearing Representative (AHR), Albert Haddad. The Department of Health and Human Services (Department) was represented by Kenika Bradley, Eligibility Specialist.

ISSUE

Did the Department properly close Petitioner's State SSI Payment (SSP) benefit 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 an ongoing SSP benefit recipient.
2. Effective June 1, 2023, Petitioner stopped receiving SSI benefits.
3. On May 20, 2023, the Department sent Petitioner a Notice of State SSI Payment Change informing him that his SSP benefit case was closing effective May 20, 2023.
4. On May 26, 2023, Petitioner's AHR submitted a request for hearing.

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.

In this case, Petitioner's AHR submitted a request or hearing disputing the Department's decision to close Petitioner's SSP benefit case. On May 20, 2023, the Department sent Petitioner a notice informing him that his SSP benefits had been cancelled.

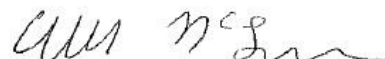
SSP is a quarterly payment paid by the State to eligible SSI recipients the last month of each quarter. BEM 660 (January 2017), pp. 1-2. SSP payments are made for only those months the SSI recipient received a regular first of the month federal benefit. BEM 660, p. 1; BAM 600 (October 2015), pp. 29-30. 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 retroactive or supplemental federal benefits. BEM 660, p. 1.

The Department presented Petitioner's State On-Line Query (SOLQ) showing as of May 1, 2023, Petitioner was no longer receiving SSI benefits. As Petitioner was no longer receiving SSI, he is no longer eligible for SSP. Therefore, the Department acted in accordance with policy when it closed Petitioner's SSP benefit 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 benefit case. Accordingly, the Department's decision is **AFFIRMED**.

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Ellen McLemore
Administrative Law Judge

