



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: August 22, 2023  
MOAHR Docket No.: 23-004175  
Agency No.: 0  
Petitioner: [REDACTED] [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 August 17, 2023, from Lansing, Michigan. The Petitioner was represented by Janicee Hall. Petitioner also appeared and testified. The Department of Health and Human Services (Department) was represented by Malika Mason. Department Exhibit 1, pp. 1-4 was received and admitted.

### **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 receiving SSI from the Social Security Administration and SSP payment from the State of Michigan.
2. Petitioner received his last SSI payment in February 2023.
3. On May 20, 2023, Notice of State SSI Payment change was sent to Petitioner informing him that his SSP payment was cancelled. (Ex. 1, pp. 3-4)
4. On July 19, 2023, Petitioner requested hearing disputing the closure of SSP. (Ex.1, p.4)
5. Petitioner did not receive an SSI payment from the Social Security Administration on April 1, 2023.

## 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.

### **State SSI Payment**

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. These are shown on SOLQ as a **recurring payment dated the first of the month**. BEM 660(October 2021)


In this case, Petitioner did not receive a regular first of the month SSI payment on March 1, 2023, therefore his SSP payment stopped. Petitioner testified at hearing that he did not receive his SSI payment on March 1, 2023, and he was in the process of getting his SSI restored. Policy dictates that SSP payment stops if SSI payments stop. Therefore, the Department closure of SSP was consistent with Department policy. 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 case.

**DECISION AND ORDER**

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

AM/nr

  
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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

**Via-Electronic Mail :**

**DHHS**  
Richard Latimore  
Wayne-Conner-DHHS  
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**MDHHS-Wayne-57-  
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**Interested Parties**  
Wayne 57 County DHHS  
BSC4  
D. Smith  
EQAD  
MOAHR

**Via-First Class Mail :**

**Petitioner**

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██████████  
██████████, MI ██████████

**Authorized Hearing Rep.**

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