



GRETCHEN WHITMER  
GOVERNOR

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

MARLON I. BROWN, DPA  
ACTING DIRECTOR

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Date Mailed: November 16, 2023  
MOAHR Docket No.: 23-005989  
Agency No.: ██████████  
Petitioner: █████ █████

**ADMINISTRATIVE LAW JUDGE: Colleen Lack**

**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 October 17, 2023, from Lansing, Michigan. The Petitioner was represented by █████ █████ Community Worker and Authorized Hearing Representative (AHR). █████ █████ Petitioner, was present. The Department of Health and Human Services (Department) was represented by Aley Haught, Assistance Payments Supervisor (APS), and Connor Raak, Assistance Payments Worker (APW). Interpreter number 16010 provided interpretation services during the hearing proceeding.

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-14.

**ISSUE**

Did the Department properly determine Petitioner's eligibility for the State SSI Payments (SSP) program?

**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 SSP benefits based on receiving Social Security Administration (SSA) issued Supplemental Security Income (SSI) benefits.
2. On August █████ 2023, a Notice of State SSI Payment Change was issued to Petitioner stating the quarterly State SSI payment would be cancelled effective August 19,

2023 because SSA notified the Department that Petitioner was no longer eligible for SSI. (Exhibit A, pp. 8-9)

3. On August 30, 2023, Petitioner filed a hearing request contesting the Department's determination. (Exhibit A, pp. 4-7)

### **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.

Supplemental Security Income (SSI) is a cash benefit to needy persons who are aged (at least 65), blind or disabled. It is a federal program administered by the Social Security Administration (SSA). States are allowed the option to supplement the federal benefit with state funds. In Michigan SSI benefits include a basic federal benefit and an additional amount paid with state funds. BEM 660, October 1, 2021, p. 1.

For the SSP program, 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. SSPs are not issued for retroactive or supplemental federal benefits. BEM 660, October 1, 2021, p. 1.

On August [REDACTED] 2023, a Notice of State SSI Payment Change was issued to Petitioner stating the quarterly State SSI payment would be cancelled effective August 19, 2023 because SSA notified the Department that Petitioner was no longer eligible for SSI. (Exhibit A, pp. 8-9).

Petitioner's AHR asked why Petitioner was no longer eligible for SSI. (AHR Testimony). However, the SSI determination was made by SSA, not the Department. Accordingly, Petitioner must contact SSA regarding eligibility for SSI benefits.

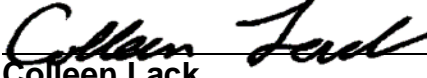
In this case, it was uncontested that SSA canceled Petitioner's SSI benefits. Accordingly, Petitioner was no longer eligible for the quarterly SSP payments.

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 determined Petitioner's eligibility for the SSP program.

**DECISION AND ORDER**

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

CL/dm

  
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Colleen Lack  
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**  
Kimberly Kornoelje  
Kent County DHHS  
**MDHHS-Kent-**  
**Hearings@michigan.gov**

**SchaferM**

**BSC3HearingDecisions**

**MOAHR**

**Via-First Class Mail :**

**Authorized Hearing Rep.**

[REDACTED]  
[REDACTED]  
[REDACTED]

**Petitioner**

[REDACTED]  
[REDACTED]  
[REDACTED]