



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
SUZANNE SONNEBORN
EXECUTIVE DIRECTOR

MARLON I. BROWN, DPA
DIRECTOR

[REDACTED]
MI [REDACTED]

Date Mailed: April 30, 2024
MOAHR Docket No.: 24-002351
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: L. Alisyn Crawford

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 April 11, 2024. Petitioner was present at the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Diadra Livernois, Family Independence Manager.

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 an ongoing recipient of federal Supplemental Security Insurance (SSI) benefits since 2021.
2. In connection with her federal benefits, Petitioner received quarterly SSP benefits from the Department.
3. On February 9, 2024, the Department sent Petitioner an SSI-Terminated Medicaid Coverage letter notifying her that the Social Security Administration (SSA) notified the Department that her SSI benefits stopped. (Exhibit A, p. 6).
4. On February 20, 2024, the Department sent Petitioner a Notice of SSI Payment Change letter notifying her that effective February 20, 2024, her quarterly SSP payment had been cancelled because she did not receive a regular first of the month SSI payment for 3 months. (Exhibit A, pp. 7-8).

5. On February 29, 2024, the Department received Petitioner's request for hearing disputing the cancelled SSP benefits. (Exhibit A, p. 1).

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.

Petitioner requested a hearing to dispute the cancellation of her SSP benefits. SSP is a quarterly payment paid by the State to eligible SSI recipients the last month of each quarter. BEM 660 (October 2021), 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; BEM 600 (March 2021), p. 31. 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; BAM 600, p. 31 (emphasis in original). Policy further provides that SSP benefits are not issued for retroactive or supplemental federal benefits. BEM 660, p. 1; BAM 600, p. 31.

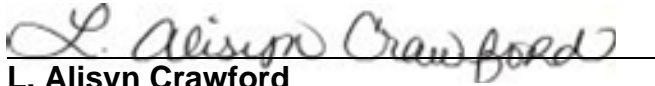
At the hearing, the Department explained that Petitioner's SSP benefits were cancelled because it was notified by SSA through a crossmatch in its system that Petitioner did not receive a regular first of the month SSI payment in January 2024. At the hearing, Petitioner confirmed that she no longer receives SSI benefits, and her last SSI benefit and SSP benefit were issued in December 2023. Petitioner testified that SSA informed her that her SSI was terminated due to an overpayment, and she could engage in gainful employment. Petitioner indicated that she is currently in the process of appealing SSA's determination regarding her SSI benefit. However, as it relates to her SSP benefit, per Department policy, Petitioner was not eligible for an SSP payment after December 2023 because she no longer received SSI. Therefore, the Department properly closed Petitioner's SSP case.

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**.

LC/ml


L. Alisyn Crawford
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

Caryn Jackson

Wayne-Hamtramck-DHHS

12140 Joseph Campau

Hamtramck, MI 48212

MDHHS-Wayne-55-Hearings@michigan.gov

Interested Parties

BSC4

M Schaefer

MOAHR

Via First Class Mail:

Petitioner

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