



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.: 24-002820
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 15, 2024. Petitioner was present at the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Arnesia Woods, Eligibility Specialist.

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.
2. In connection with her federal benefits, Petitioner received quarterly SSP benefits from the Department.
3. In 2023, Petitioner won [REDACTED] in gambling winnings and did not report her winnings to SSA.
4. The Department's crossmatch records with the Social Security Administration (SSA) showed that Petitioner would not be paid SSI in December 2023.
5. On November 18, 2023, the Department sent Petitioner a Notice of SSI Payment Change notifying her that effective December 1, 2023, her SSP payment has been

cancelled because she did not receive a regular first of the month SSI payment for December.

6. On December 27, 2023, the Department received Petitioner's request for hearing disputing the cancelled SSP benefits.

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.

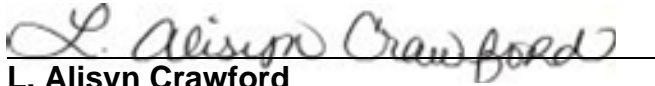
At the hearing, the Department explained that Petitioner's SSP benefits were cancelled because it was notified by SSA through a crossmatch in its system that Petitioner did not receive a regular first of the month SSI payment for December 2023. The Department also testified that review of the State On-Line Query (SOLQ) showed that Petitioner was no longer receiving SSI benefits. Petitioner testified that SSA stated that her SSI benefits were cancelled due to her failure to report gambling winnings. Petitioner stated 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

Dora Allen

Wayne-Gratiot/Seven-DHHS

4733 Conner Suite G 7 Lappin

Detroit, MI 48215

MDHHS-Wayne-76-Hearings@michigan.gov

Interested Parties

BSC4

M Schaefer

MOAHR

Via First Class Mail:

Petitioner

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