



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



Date Mailed: May 2, 2024  
MOAHR Docket No.: 24-003282  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Julia Norton**

### **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 29, 2024. Petitioner was present and self-represented. The Department of Health and Human Services (Department) was represented by Remy Williams, Eligibility Specialist.

### **ISSUE**

Did the Department properly deny payment for January 2024 in Petitioner's State SSI Payment (SSP) quarterly installment?

### **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 is an ongoing recipient of federal Supplemental Security Income (SSI) benefits.
2. In connection with his federal SSI benefits, Petitioner receives a quarterly SSP benefit from the Department.
3. The Department records reflected that Petitioner was not paid a recurring first of the month SSI payment for January 2024.
4. On February 20, 2024, the Department sent Petitioner a Notice of State SSI Payment (SSP) change indicating that Petitioner did not receive a regular first of the month SSI payment for 1 or 2 months and that Petitioner must receive the

regular first of the month SSI payment to be eligible for a SSP payment. Further, a reduced payment would issue on March 15, 2024. Exhibit A, pp. 3-4.

5. The Department issued an SSP installment payment for [REDACTED] for the quarter ending March 31, 2024. Exhibit A, p.12.
6. On March 20, 2024, the Department received Petitioner's request for hearing disputing the reduced payment. Exhibit A, p. 4.

### 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 requested a hearing to dispute the reduction of his SSP benefit for the SSP installment payment covering January, February, and March 2024. 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; BAM 600 (February 2024), p. 31. Department policy specifies that these SSI payments are shown on the client's State 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 testified that based on the SOLQ, Petitioner did not receive a recurring payment dated the first of the month for January 2024. Instead, Petitioner received a regular daily payment on January 8, 2024. The SOLQ showed the recurring payment restarted February 1, 2024. Because Petitioner did not receive a regular first of the month payment for January 2024, Petitioner was not eligible for the portion of the quarterly installment payment attributed to January 2024. The Department properly excluded January 2024 and reduced the installment payment by 1/3 [REDACTED]. This resulted in a quarterly installment payment of [REDACTED] which included February and March 2024. Petitioner testified that his SSI payments had stopped for one month because of a mistake and that he contacted SSA regarding a possible benefit overissuance. It is noted that Petitioner was informed the State handles the SSP quarterly payments and does not handle overissuance of SSI benefits.

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 denied payment for January 2024 in Petitioner's SSP quarterly installment payment.

**DECISION AND ORDER**

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



JN/ml

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**Julia Norton**  
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  
4733 Conner  
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**MDHHS-Wayne-57-Hearings@michigan.gov**

**Interested Parties**

BSC4  
M Schaefer  
MOAHR

**Via First Class Mail:**

**Petitioner**

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