



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 23, 2024
MOAHR Docket No.: 24-003391
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 May 13, 2024. Petitioner was present at the hearing and represented himself. The Department of Health and Human Services (Department) was represented by Dania Ajami, Lead Eligibility Specialist.

ISSUE

Did the Department properly determine Petitioner's State SSI Payment (SSP) benefit amount for the first quarter of 2024?

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 his federal benefits, Petitioner received quarterly SSP benefits from the Department.
3. The Department's crossmatch records with the Social Security Administration (SSA) showed that Petitioner did not receive his January 2024 SSI payment on the first of the month.
4. On February 20, 2024, the Department sent Petitioner a Notice of SSI Payment Change notifying him that his March 15, 2024 SSP payment was reduced because

SSA notified the Department that he did not receive a regular first of the month SSI payment. (Exhibit A, p. 3).

5. On April 2, 2024, the Department received Petitioner's request for hearing disputing the reduced State SSI Payment for the first quarter of 2024. (Exhibit A, p. 5).

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 to cancellation of his SSP benefit for January 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 receives 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 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 600, p. 1; BEM 600, p. 31.

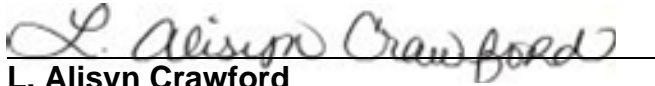
At the hearing, the Department explained that while Petitioner is a continued recipient of SSI benefits, he was not afforded the January portion of the SSP quarterly payment because based on the SOLQ, Petitioner was paid his January SSI benefit on the second of January and not the first. Therefore, the Department determined that he was not entitled to the January 2024 portion of the SSP. The Department further explained that the SSP payments for February and March 2024 were paid because the SSI payments took place on the first of those months. Petitioner testified that he did receive his SSI payment for January 2024 but was unable to confirm that the payment actually occurred on the first of the month. Per Department policy, Petitioner was not eligible for an SSP payment for January 2024 because he did not receive a recurring SSI payment dated the first of the month for the month of January 2024.

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 did not issue SSP benefit payment to Petitioner for January 2024.

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

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Interested Parties

BSC4

M Schaefer

MOAHR

Via First Class Mail:

Petitioner

[REDACTED]
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