



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

Date Mailed: July 26, 2024
MOAHR Docket No.: 24-003517
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

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 hearing was held via telephone conference line on July 22, 2024. Petitioner participated and was unrepresented. [REDACTED] [REDACTED] testified on behalf of Petitioner. The Michigan Department of Health and Human Services (MDHHS) was represented by Lori Turner, specialist.

ISSUE

The issue is whether MDHHS properly terminated Petitioner's state-issued Supplemental Security Income payment (SSP) eligibility.

FINDINGS OF FACT

The administrative law judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. As of January 2024, Petitioner was a recipient of federally issued Supplemental Security Income (SSI). Petitioner also received ongoing SSP of \$31.50 every three months.
2. As of February 2024, the Social Security Administration (SSA) stopped Petitioner's SSI eligibility.
3. On February 20, 2024, MDHHS sent Petitioner notice of SSP termination effective March 2024, due to Petitioner not being eligible for SSI.

4. On March 25, 2024, Petitioner requested a hearing to dispute the termination of SSP.

CONCLUSIONS OF LAW

The State SSI Payments (SSP) program is established by 20 CFR 416.2001-.2099 and the Social Security Act, 42 USC 1382e. MDHHS administers the program pursuant to MCL 400.10.

Petitioner requested a hearing to dispute a termination of SSP benefits.¹ Exhibit A, pp. 3-5. A Notice of State SSI Payment Change dated February 20, 2024, stated that Petitioner was no longer eligible for SSI beginning March 2024, and therefore, no longer eligible to receive SSP. *Id.*

SSI is a cash benefit to needy persons who are aged (at least 65), blind or disabled. BEM 660 (January 2017) p. 1. It is a federal program administered by the SSA. *Id.* States are allowed the option to supplement the federal benefit with state funds. *Id.* In Michigan, SSI benefits include a basic federal benefit and an additional amount paid with state funds. *Id.* SSP is paid quarterly, in the last month of the quarter. SSP is issued for only those months the recipient received a regular first of the month federal benefit. *Id.*

It was not disputed that Petitioner received ongoing SSP benefits of \$31.50 every three months before MDHHS terminated SSP eligibility beginning March 2024. It was also not disputed that Petitioner stopped receiving SSI benefits beginning March 2024. Because Petitioner was no longer eligible for SSI beginning March 2024, Petitioner was no longer eligible to receive SSP beginning March 2024. Given the evidence, MDHHS properly terminated Petitioner's SSP eligibility.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly terminated Petitioner's SSP eligibility effective March 2024. The actions taken by MDHHS are **AFFIRMED**.

CG/nr



Christian Gardocki
Administrative Law Judge

¹ Petitioner's spouse testified that a hearing concerning Petitioner's Medicaid eligibility was intended. This intention was rejected because a hearing was requested on the SSP termination notice, and it included no written statement disputing Medicaid benefits.

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
Tara Roland 82-17
Wayne-Greenfield/Joy-DHHS
8655 Greenfield
Detroit, MI 48228
MDHHS-Wayne-17-hearings@michigan.gov

Interested Parties
BSC4
M. Schaefer
EQAD
MOAHR

Via-First Class Mail :

Petitioner
[REDACTED]
[REDACTED]
[REDACTED], MI [REDACTED]