



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

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Date Mailed: June 12, 2024  
MOAHR Docket No.: 24-004742  
Agency No.: ██████████  
Petitioner: ██████████

**ADMINISTRATIVE LAW JUDGE: Danielle R. Harkness**

**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; 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 June 11, 2024. Petitioner appeared and represented herself. The Department of Health and Human Services (Department) was represented by Sunshine Simonson, Eligibility Specialist. Patrick Dolton, Lead Worker with the Office of Child Support (OCS), testified on the Department's behalf.

**ISSUE**

Did the Department properly deny Petitioner's request for State Emergency Relief (SER) Assistance for noncooperation with child support reporting obligations?

**FINDINGS OF FACT**

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

1. On ██████████ 2024, Petitioner applied for SER assistance with non-heat electricity and heat – natural gas/wood/other.
2. Petitioner has a group size of 5.
3. On August 31, 2023, and September 10, 2023, the OCS sent Petitioner's group member contact letters requesting that she provide information concerning the noncustodial parent of her minor child.
4. The August 31, 2023, and September 10, 2023, letters were sent to Petitioner's mailing address as this was the last-known mailing address for Petitioner's group member.

5. On September 19, 2023, Petitioner's group member was placed into noncooperation status because she failed to respond to an August 31, 2023, contact letter and provide identifying information about the noncustodial parent of her minor child. Exhibit A, p. 10.
6. On April 11, 2024, the Department sent Petitioner a SER decision notice notifying her that her request for SER assistance was denied for Petitioner's group member failing to cooperate with child support requirements. *Id.* pp. 7-9. The notice advised Petitioner to contact the Office of Child Support at 1-866-540-0008 if her group member wanted to cooperate or if she had good cause for refusing to cooperate. *Id.*
7. On April 16, 2024, Petitioner requested a hearing to dispute the Department's decision. *Id.* p. 3.

### **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 SER program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

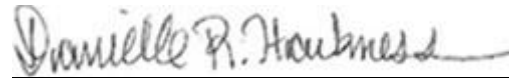
As a condition of SER eligibility, SER group members that are non-cooperative with the OCS are also ineligible for SER. ERM 203 (October 1, 2018), p. 2.

In this case, Petitioner requested a hearing to dispute the denial of her SER application. Petitioner asserted that she spoke with the OCS to advise them of the name of the person who was believed at the time to be the father of Petitioner's group member's child. However, Petitioner did not provide evidence of this contact. Further, no evidence was provided by Petitioner to establish that good cause was found for Petitioner's group member's failure to cooperate. Therefore, the Department properly denied Petitioner's request for SER assistance.

**DECISION AND ORDER**

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 Petitioner's SER application.

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



DH/pt

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**Danielle R. Harkness**  
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:**

**Department Representative**  
Office of Child Support (OCS)-MDHHS  
201 N Washington Square  
Lansing, MI 48933  
**MDHHS-OCS-Admin-Hearings@michigan.gov**

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

**Interested Parties**

BSC4  
J. McLaughlin  
E. Holzhausen  
MOAHR

**Via-First Class Mail:**

**Petitioner**  
[REDACTED]  
[REDACTED]  
[REDACTED] MI [REDACTED]