



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

ORLENE HAWKS
DIRECTOR

[REDACTED]
[REDACTED]
[REDACTED]

Date Mailed: May 2, 2022
MOAHR Docket No.: 22-001114
Agency No.: [REDACTED]
Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Marya A. Nelson-Davis

HEARING DECISION

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 21, 2022. [REDACTED] Petitioner, appeared and testified on his own behalf. The Department of Health and Human Services (Department) was represented by Yvette Bishop-Turnbull, Family Independence Manager (FIM), and Gretchen Benning, Eligibility Specialist (ES).

ISSUE

Did the Department properly cancel Petitioner's quarterly State SSI Payment (SSP)?

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 receiving ongoing quarterly SSP payments.
2. A data exchange with Social Security Administration (SSA) showed that Petitioner stopped receiving a regular federal Supplemental Security Income (SSI) payment effective December 2021, and his SSI was canceled by SSA effective February 2022.
3. On February 21, 2022, a Notice of State SSI Payment Change was issued to Petitioner, stating that his quarterly SSP had been cancelled effective February 21, 2022, because he did not receive a regular first of the month SSI payment for 3 months.
4. On March 15, 2022, Petitioner filed a hearing request contesting the Department's decision regarding his 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.

SSP payments are made for only those months the recipient received a regular first of the month federal benefit. These are shown on SOLQ as a recurring payment dated the first of the month. SSPs are not issued for retroactive or supplemental federal benefits. BEM 660, October 1, 2020, p. 1.

In this case, Petitioner acknowledged that he stopped receiving a regular federal SSI payment during the time period in question. The evidence on the record establishes that he did not receive a regular federal SSI payment effective December 2021, and his SSI ended effective February 2022. Therefore, the Department properly cancelled Petitioner's SSP benefits.

DECISION AND ORDER

The Administrative Law Judge, based on the above findings of fact and conclusions of law, decides that the Department properly cancelled Petitioner's SSP benefits.

IT IS THEREFORE ORDERED the Department's action is **AFFIRMED**.



Marya A. Nelson-Davis
Administrative Law Judge

MN-D/dh

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

Sent via Email:

MDHHS-Washtenaw-Hearings
C. George
MOAHR
BSC4HearingDecisions

Sent via First-Class Mail:

[REDACTED]
[REDACTED]
[REDACTED]