



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: September 9, 2024
MOAHR Docket No.: 24-007234
Agency No.: ██████████
Petitioner: ██████████

ADMINISTRATIVE LAW JUDGE: Caralyce M. Lassner

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 by telephone on August 15, 2024. Petitioner was represented by their Authorized Hearing Representative (AHR) and guardian, ██████████. The Department of Health and Human Services (Department) was represented by Rebecca Scott, Eligibility Specialist.

ISSUE

Did the Department properly close Petitioner's State SSI Payment (SSP) case effective May 20, 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 Supplemental Security Income (SSI) and State SSI Payment (SSP).
2. In ██████████ 2024, Petitioner received his last SSI payment.
3. On ██████████, 2024, Petitioner began receiving Retirement, Survivors, and Disability Insurance (RSDI) income of ██████████er month.
4. On May 20, 2024, the Department sent Petitioner a Notice of State SSI Payment Change, notifying Petitioner that his SSP was cancelled because he did not receive a regular first of the month SSI payment for three months. (Exhibit A, pp. 8 – 9).
5. On June 21, 2024, the Department received a request for hearing from Petitioner, disputing cancellation of his SSP. (Exhibit A, pp. 4 – 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 the cancellation of his SSP. The Department cancelled Petitioner's SSP because Petitioner no longer receives SSI.

SSP is a quarterly payment issued by the Department to eligible SSI recipients. 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 and individuals who do not receive SSI are not eligible for SSP. BEM 600, p. 1; see also BAM 600 (February 2024), p. 31. SSI payments are shown on the client's State Online Query (SOLQ) report. BEM 660, p. 1; BAM 600, p. 31.

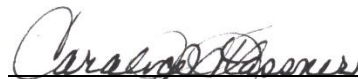
In this case, Petitioner was an ongoing recipient of SSI and quarterly SSP. The Department testified that it reviewed a Consolidated Inquiry (CI) report and Petitioner's SOLQ and determined that Petitioner's last SSI payment was issued in [REDACTED] 2024 and that he began receiving RSDI effective [REDACTED] 2024. The AHR agreed with the Department's representations and acknowledged that Petitioner now receives RSDI income. Because Petitioner no longer receives SSI, the Department properly cancelled his SSP.

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 cancelled Petitioner's SSP effective May 20, 2024.

DECISION AND ORDER

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

CML/pt



Caralyce M. Lassner
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
Tracy Felder
Wayne-Southwest-DHHS
2524 Clark Street
Detroit, MI 48209
MDHHS-Wayne-41-Hearings@michigan.gov

Interested Parties
M Schaefer
MOAHR

Via-First Class Mail:

Petitioner

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Authorized Hearing Rep.

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