



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: September 23, 2024  
MOAHR Docket No.: 24-007899  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Linda Jordan**

### **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 on August 27, 2024, via teleconference. Petitioner appeared and represented herself. Caleb Nygren, Hearings Facilitator, appeared on behalf of the Michigan Department of Health and Human Services (MDHHS or Department). MDHHS' Hearing Packet was admitted into evidence at the hearing as MDHHS Exhibit A, pp. 1-18.

### **ISSUE**

Did MDHHS properly terminate Petitioner's 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 an ongoing recipient of Supplemental Security Income (SSI) and SSP.
2. On February 20, 2024, MDHHS sent Petitioner a Notice of State SSI Payment Change indicating that her quarterly SSP would be reduced because the Social Security Administration (SSA) notified MDHHS that Petitioner did not receive a regular, first-of-the-month SSI payment (Exhibit A, p. 8).
3. On May 20, 2024, MDHHS sent Petitioner a Notice of State SSI Payment Change indicating that her quarterly SSP would be cancelled because SSA notified MDHHS that Petitioner did not receive a regular, first-of-the-month SSI payment for three months (Exhibit A, pp. 5-6).

4. On May 23, 2024, MDHHS sent Petitioner a Notice of Case Action indicating that she was approved for SSP, effective July 1, 2024 ongoing (Exhibit A, p. 13).
5. On June 26, 2024, Petitioner requested a hearing to dispute the termination of SSP (Exhibit A, p. 6).

### **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 Payment (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. Supplemental Security Income (SSI) is a means-tested benefit administered by the Social Security Administration (SSA) that can be received based on age, disability, or blindness. BEM 503 (April 2024), p. 35.

In Michigan, SSI benefits include a basic federal benefit, and an additional amount paid with state funds, known as SSP. BEM 660 (October 2021), p. 1. MDHHS issues SSP to SSI recipients in independent living situations or living in the household of another. *Id.* Payments are made only for months in which the recipient received a federal SSI benefit. *Id.* When an SSI recipient experiences a reduction in benefits, MDHHS must send the DHS-430 Notice of State SSI Payment Change, which gives recipients timely notice of any proposed benefit reduction, their hearing rights, and the date they will receive their next quarterly check. *Id.*, p. 3.

At the hearing, MDHHS testified that it received information from SSA that Petitioner's SSI payment was reduced or cancelled. However, this information was inaccurate. MDHHS confirmed with SSA that Petitioner received her regular SSI payment from February to July 2024 (Exhibit A, p. 4). Due to this information, MDHHS manually issued SSP payments for February to July 2024 (Exhibit A, p. 4). The notices that MDHHS generated were sent to Petitioner in error, based on the mistaken information.

Additionally, MDHHS confirmed with SSA that Petitioner would not receive her SSI payment beginning August 1, 2024. Petitioner confirmed this information. Accordingly, MDHHS terminated Petitioner's SSP, effective August 1, 2024. This was proper because SSP is only available to current SSI recipients. BEM 660, p. 1.

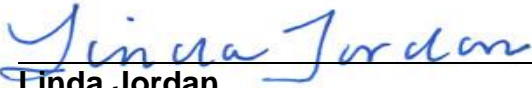
At the hearing, Petitioner was advised that the Michigan Office of Administrative Hearings and Rules (MOAHR) does not have authority over Petitioner's SSI case and that if she wished to dispute the SSI termination or reduction, she would need to pursue that matter with SSA.

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 MDHHS acted in accordance with Department policy when it terminated Petitioner's SSP.

**DECISION AND ORDER**

Accordingly, MDHHS' decision is **AFFIRMED**.

LJ/pt

  
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**Linda Jordan**  
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**

Janice Collins  
Genesee County DHHS Union St District Office  
125 E. Union St 7th Floor  
Flint, MI 48502

**MDHHS-Genesee-UnionSt-Hearings@michigan.gov**

**Interested Parties**

M Schaefer  
MOAHR

**Via-First Class Mail:**

**Petitioner**

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