



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 5, 2024  
MOAHR Docket No.: 24-008706  
Agency No.: ██████████  
Petitioner: ██████████

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

**HEARING DECISION**

On July 15, 2024, Petitioner, ██████████, requested a hearing to dispute the Department's decision to deny Petitioner's request for State Emergency Relief (SER). As a result, a hearing was scheduled to be held on September 4, 2024, pursuant to MCL 400.9 and Mich Admin Code, R 792.11002. Petitioner appeared at the hearing and represented herself. The Department of Health and Human Services (Department) was represented by Amber Gibson, Hearing Facilitator.

A 17-page packet of documents provided by the Department was admitted collectively as the Department's Exhibit A.

**ISSUE**

Did the Department properly deny Petitioner's request for SER for non-heat electricity, water or sewage, heat – natural gas/wood/other, and repairs to the basic structure?

**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 requested SER from the Department for non-heat electricity, water or sewage, heat – natural gas/wood/other, and repairs to the basic structure.
2. On June 24, 2024, the Department mailed a notice to Petitioner to notify Petitioner that Petitioner was eligible for the following:
  - a. \$139.68 with a copayment amount of \$0.00 in SER for non-heat electricity,
  - b. \$139.09 with a copayment amount of \$87.75 in SER for water or sewage,

- c. \$448.50 with a copayment amount of \$0.00 in SER for heat – natural gas/wood/other, and
  - d. \$0.00 with a copayment amount of \$800.00 in repairs to the basic structure.
3. The June 24, 2024, notice advised Petitioner that proof of all copays must be turned in by July 9, 2024.
  4. On [REDACTED] 2024, Petitioner submitted a receipt for an \$[REDACTED] payment to [REDACTED]
  5. The Department denied Petitioner's request for SER because the Department determined that Petitioner did not timely submit proof of all copays.
  6. On July 15, 2024, Petitioner requested a hearing to dispute the Department's decision.

### **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.

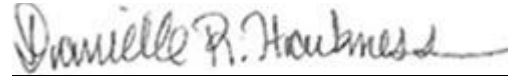
The Department is unable to authorize a SER payment before a service is provided, or before a SER group has made a required copayment, contribution, prorated or shortfall payment. ERM 401 (January 1, 2024), p. 2. The SER authorization period is 30 days. The authorization period begins on the date the local office receives a signed application for SER or receives an electronic application from MI Bridges and ends 29 days later. For example: Application filed on March 1. The authorization period is March 1 - March 30. *Id.*, p. 2.

In this case, Petitioner requested SER for non-heat electricity, water or sewage, heat – natural gas/wood/other, and repairs to the basic structure. Based on the evidence presented, Petitioner failed to timely provide proof of all copays. Thus, Petitioner did not meet the SER requirements. Since Petitioner did not timely provide all required proofs, the Department properly denied Petitioner's request for SER.

**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 properly denied Petitioner's request for SER for non-heat electricity, water or sewage, heat – natural gas/wood/other, and repairs to the basic structure.

IT IS ORDERED, the Department's decision is **AFFIRMED**.



**Danielle R. Harkness**  
Administrative Law Judge

DH/pt

**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**

Amber Gibson  
Ingham County DHHS  
5303 South Cedar  
Lansing, MI 48911

**MDHHS-Ingham-Hearings@michigan.gov**

**Interested Parties**

BSC2

J. McLaughlin

E. Holzhausen

MOAHR

**Via-First Class Mail:**

**Petitioner**

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