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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES
SUZANNE SONNEBORN
EXECUTIVE DIRECTOR

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DIRECTOR

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██████████, MI ██████████

Date Mailed: December 4, 2024
MOAHR Docket No.: 24-011897
Agency No.: ██████████
Petitioner: ██████████ ██████████

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

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 conducted via Microsoft Teams line on November 27, 2024. Petitioner participated and was unrepresented. The Michigan Department of Health and Human Services (MDHHS) was represented by Jamila Goods, specialist.

ISSUE

The issue is whether MDHHS properly denied Petitioner's State Disability Assistance (SDA) application.

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 cash benefits and reported a household with no other persons and a disability.
2. On September 20, 2024, MDHHS sent Petitioner a Medical Determination Verification Checklist (MD-VCL) requesting various documents including a Medical Social Questionnaire (MSQ) due by September 30, 2024.
3. On October 9, 2024, MDHHS denied Petitioner's SDA application due to Petitioner's failure to return all required documents.

4. As of October 9, 2024, Petitioner had not returned to MDHHS a signed MSQ to MDHHS.
5. On October 21, 2024, Petitioner requested a hearing to dispute a denial of Family Independence Program (FIP) benefits.

CONCLUSIONS OF LAW

The State Disability Assistance (SDA) program is established by the Social Welfare Act, MCL 400.1-.119b. The Department of Health and Human Services (formerly known as the Department of Human Services) administers the SDA program pursuant to 42 CFR 435, MCL 400.10 and Mich Admin Code, R 400.3151-.3180. SDA policies are contained in the Bridges Administrative Manual (BAM), Bridges Eligibility Manual (BEM), and Reference Tables Manual (RFT).

Petitioner requested a hearing to dispute a denial of FIP benefits. Exhibit A, pp. 3-4. For non-refugees, MDHHS offers two types of cash assistance programs.¹ The Family Independence Program (FIP) provides financial assistance to families with dependent children.² BEM 100 (April 2023) p. 1. SDA provides financial assistance to disabled adults who are not eligible for Family Independence Program (FIP) benefits. *Id.*, p. 5. As Petitioner was neither a caretaker to minor children nor pregnant, Petitioner's hearing request will be interpreted as a dispute over SDA benefits.

Petitioner applied for cash benefits on [REDACTED] 2024. A Notice of Case Action dated October 9, 2024, stated that Petitioner was denied SDA due to failing to return required documentation. Exhibit A, pp. 8-11. MDHHS testimony specified that Petitioner failed to return a signed MSQ.

For SDA applications, MDHHS is to complete a MD-VCL requesting the following required verifications from the applicant: Medical-Social Questionnaire (DHS-49-F), Reimbursement Authorization (DHS-3975), Authorization to Release Protected Health Information (DHS-1555), and verification of a Social Security Administration application/appeal. BAM 815 (April 2018) p. 4. The client or authorized representative must complete all sections of the DHS-49-F, Medical-Social Questionnaire. *Id.* This form is mandatory. *Id.* If requested mandatory forms are not returned, MDHHS cannot determine the severity of the disability and is to deny the application or place an approved program into negative action for failure to provide required verifications. *Id.*

MDHHS mailed Petitioner a MD-VCL on September 20, 2024, requesting proof of various documents. Exhibit A, pp. 12-13. Requested documents included an MSQ, the due date for Petitioner to return the requested documents was September 30, 2024. MDHHS testified that Petitioner failed to return a MSQ in response to the MD-VCL. For an earlier application, Petitioner returned an MSQ to MDHHS on September 5, 2024.

¹ A third type of cash assistance is available for refugees (see BEM 630).

² Pregnant women are also eligible to receive FIP benefits (see BEM 210).

Exhibit A, pp. 14-19. MDHHS testimony explained it was unable to accept the document because it was unsigned by Petitioner. Petitioner did not deny MDHHS's testimony or claim to have returned a signed MSQ.

The evidence established that MDHHS properly requested from Petitioner required verifications for an SDA application, which included an MSQ. The evidence further established that Petitioner failed to return a properly completed MSQ before the SDA denial date. Thus, MDHHS properly denied Petitioner's application for SDA due to a failure to return required documentation.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly denied Petitioner's application for SDA dated [REDACTED] 2024. The actions taken by MDHHS are **AFFIRMED**.

CG/nr



Christian Gardocki
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

Susan Noel
Wayne-Inkster-DHHS
26355 Michigan Ave
Inkster, MI 48141

MDHHS-Wayne-19-Hearings@michigan.gov

Interested Parties

BSC4
L. Karadsheh
MOAHR

Via-First Class Mail :

Petitioner

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