



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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██████████, MI ██████████

Date Mailed: January 23, 2025  
MOAHR Docket No.: 24-013193  
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 teleconference on January 9, 2025 with the parties participating jointly by Microsoft Teams from the Michigan Department of Health and Human Services (Department) local office. Petitioner appeared and represented herself. The Department (Department) was represented by Priya Johnson, Assistance Payments Supervisor.

The Department's 19-page hearing packet, submitted to the Michigan Office of Administrative Hearings and Rules (MOAHR) on December 4, 2024, was admitted into evidence as Exhibit A. The Department submitted a second hearing to MOAHR on December 20, 2024. However, the Department did not have a copy of that packet, and it was not admitted into evidence.

### **ISSUE**

Did the Department properly deny Petitioner's application for State Emergency Relief (SER) for failure to cooperate with the Office of Child Support?

### **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, the Department received an application for SER assistance from Petitioner for heat, electric, and water/sewer. Petitioner reported that her household was comprised of herself and her seven children. (Exhibit A, pp. 6 – 14).

2. Petitioner has been married since 2011, and her husband's name is [REDACTED] (Father).
3. Father is the father of six the children. (Exhibit A, pp. 7 – 9).
4. On November 25, 2024, the Department sent Petitioner a SER Decision Notice (SERDN) that denied Petitioner SER assistance for failure to cooperate with child support requirements. (Exhibit A, pp. 15 – 17).
5. On November 26, 2024, the Department received a request for hearing from Petitioner disputing that she had a child support case. (Exhibit A, pp. 3 – 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 Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1-.119b. The SER program is administered by the Department (formerly known as the Department of Human Services) pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

Petitioner requested a hearing to dispute the Department's denial of her SER application for failure to cooperate with the Office of Child Support (OCS).

Individuals who apply for SER must answer all questions truthfully and completely. ERM 102 (October 2020), p. 1. Applicants are required to a) take actions within their abilities to help themselves, including seeking or obtaining other potential resources, such as child support, and b) list all persons living in the home, among other requirements. ERM 101 (March 2013), p. 1. Applicants who fail to comply with program requirements are denied SER assistance. ERM 101, p. 1. Additionally, groups that are non-cooperative with the OCS are ineligible for SER. ERM 203 (October 2018), p. 2.

In this case, Petitioner applied for SER for herself and her seven children. The Department denied Petitioner SER for failure to cooperate with child support requirements. Petitioner testified that she has no child support cases and that her six minor children are children of her and Father and there was no direct evidence introduced during the hearing that Petitioner was non-cooperative with OCS. However, Petitioner further testified that Father lives in the household and the evidence established that Petitioner failed to report Father's presence in the household on the SER application. There was no evidence or testimony regarding whether Father had income. Therefore, although the Department initially denied Petitioner's SER application for failure to cooperate with child support requirements, because Petitioner

failed to report Father's presence in the household on the SER application, the Department properly denied Petitioner's request for SER assistance.

As the Department advised Petitioner during the hearing, she may reapply for SER at any time if necessary.

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 denied Petitioner's request for SER assistance.

**DECISION AND ORDER**

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



CML/nr

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**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 :**

**Department Representative**  
Office of Child Support (OCS)-MDHHS  
201 N Washington Square  
Lansing, MI 48933  
**MDHHS-OCS-Admin-Hearings@michigan.gov**

**Interested Parties**

BSC4  
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MOAHR

**DHHS**

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**Via-First Class Mail :**

**Petitioner**

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