



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



Date Mailed: February 21, 2025  
MOAHR Docket No.: 24-013260  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Colleen Lack**

### **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 telephone hearing was held on January 23, 2025, from Lansing, Michigan. [REDACTED] the Petitioner, appeared on her own behalf. The Department of Health and Human Services (Department) was represented by Rebecca Ferrill, Assistance Payments Supervisor (APS).

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-10.

### **ISSUE**

Did the Department properly determine Petitioner's eligibility for the State SSI Payments (SSP) program?

### **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 November 18, 2024, a Notice of State SSI Payment Change was issued to Petitioner stating that the Social Security Administration (SSA) notified the Department that Petitioner did not receive a regular first of the month payment for 1-2 months. Petitioner must receive a regular first of the month payment to be eligible for the SSP payment. The reduced SSP payment was scheduled to be issued on [REDACTED], 2023. (Exhibit A, pp. 4-5)
2. The information provided by SSA indicated Petitioner did not receive a regular first of the month payment SSI payment for October 2024. There are three payments

listed for October 1, 2024, flagged as an advance payment or overpayment recovered, a supplemental payment dated the first of the month, and no payment made. (Exhibit A, p. 8)

3. On November 25, 2024, Petitioner filed a hearing request contesting the Department's determination. (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.

For the SSP program, payments are made for only those months the recipient received a regular first of the month federal benefit. These are shown on SOLQ as a recurring payment dated the first of the month. SSPs are not issued for retroactive or supplemental federal benefits. BEM 660, October 1, 2021, p. 1

On November 18, 2024, a Notice of Case Action was issued to Petitioner stating that the Social Security Administration (SSA) notified that Department that Petitioner did not receive a regular first of the month payment for 1-2 months. Petitioner must receive a regular first of the month payment to be eligible for the SSP payment. The reduced SSP payment was scheduled to be issued on December 13, 2023. (Exhibit A, pp. 4-5). The information provided by SSA indicated Petitioner did not receive a regular first of the month payment SSI payment for October 2024. There are three payments listed for October 1, 2024, flagged as an advance payment or overpayment recovered, a supplemental payment dated the first of the month, and no payment made. (Exhibit A, p. 8).

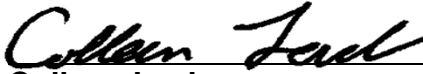
Accordingly, Petitioner was not eligible for the SSP for October 2024 because she did not receive a regular first of the month SSI payment for October 2024.

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 determined Petitioner's eligibility for the SSP program.

**DECISION AND ORDER**

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

CL/pt

  
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**Colleen Lack**  
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**

Jamie Dent

Grand Traverse/Leelanau County DHHS

701 S. Elmwood Suite 19

Traverse City, MI 49684

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

**Interested Parties**

BSC1

M Schaefer

MOAHR

**Via-First Class Mail:**

**Petitioner**

[REDACTED]

[REDACTED]

[REDACTED] MI [REDACTED]