



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
MICHIGAN OFFICE OF ADMINISTRATIVE HEARINGS AND RULES

MARLON I. BROWN, DPA  
DIRECTOR

[REDACTED]  
[REDACTED]  
[REDACTED], MI [REDACTED]

Date Mailed: January 31, 2025  
MOAHR Docket No.: 24-013837  
Agency No.: [REDACTED]  
Petitioner: [REDACTED]

**ADMINISTRATIVE LAW JUDGE: Ellen McLemore**

**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 29, 2025, via Teams. Petitioner was present and was unrepresented. The Department of Health and Human Services (Department) was represented by Rosemary Molsbee-Smith, Eligibility Specialist

**ISSUE**

Did the Department properly reduce Petitioner's State SSI Payment (SSP) paid in December 2024?

**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 receives Supplemental Security Income (SSI) from the Federal Social Security Administration (SSA).
2. Petitioner is eligible for quarterly SSP benefits from the Department tied to her SSI payments.
3. On November 18, 2024, the Department sent Petitioner a Notice of State SSI Payment Change informing her that her SSP payment issued on December 13, 2024, would be reduced (Exhibit A, pp. 7-8).
4. On December 10, 2024, Petitioner requested a hearing disputing the Department's actions.

### **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.

In this case, the Department received notification from the Social Security Administration (SSA) that Petitioner did not receive a regular first of the month SSI payment during the period of October 1, 2024, through December 31, 2024. The Department sent Petitioner a Notice of State SSI Payment Change on November 18, 2024, informing her that her SSP payment that was due to be issued on December 13, 2024, would be reduced.

SSP is a quarterly payment paid by the State to eligible SSI recipients the last month of each quarter. BEM 660 (January 2017), pp. 1-2. SSP payments are made for only those months the SSI recipient received a regular first of the month federal benefit. BEM 660, p. 1; BAM 600 (October 2015), pp. 29-30. Department policy specifies that these SSI payments are shown on the client's Single Online Query (SOLQ) report as a "recurring payment dated the first of the month." BEM 660, p. 1. Policy further provides that SSPs are not issued for retroactive or supplemental federal benefits. BEM 660, p. 1.

The Department testified that it reviewed Petitioner's State Online Query (SOLQ) report. The Department stated that the SOLQ indicated that Petitioner did receive a regular payment on November 1, 2024, but it also indicated that Petitioner's case had been closed in November 2024. Petitioner testified that she received information prior to November 1, 2024, that her SSI benefit case was closing. Petitioner went to her local SSA office and was notified her case was closed in error and that it had been reinstated. Petitioner testified that she received a regularly recurring payment on November 1, 2024.

Based on the evidence presented, it is unclear whether Petitioner received a regularly recurring SSI payment on the first of each month during the period of October 1, 2024, through December 21, 2024. Therefore, the Department failed to establish that it properly determined reduced Petitioner's SSP benefit amount.

**DECISION AND ORDER**

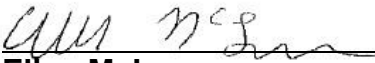
The Administrative Law Judge, based on the above Findings of Fact and Conclusions of Law, and for the reasons stated on the record, if any, finds that the Department failed to satisfy its burden of showing that it acted in accordance with Department policy when it reduced Petitioner's SSP benefit amount.

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

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Redetermine Petitioner's SSP benefit eligibility during the period of October 1, 2024, through December 31, 2024;
2. If Petitioner is eligible for additional SSP benefits, issue supplements she is entitled to receive; and
3. Notify Petitioner of its decision in writing.

EM/ml

  
**Ellen McLemore**  
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**  
Yvonne Hill  
Oakland County DHHS Madison Heights Dist.  
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**Interested Parties**  
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MOAHR

**Via First Class Mail:**

**Petitioner**  
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