



Date Mailed: March 28, 2025

Docket No.: 24-038207

Case No.: [REDACTED]

Petitioner: [REDACTED]

This is an important legal document. Please have someone translate the document.

هذه وثيقة قانونية مهمة. يرجى أن يكون هناك شخص ما يترجم المستند.

এটি একটি গুরুত্বপূর্ণ আইনি ডকুমেন্ট। দয়া করে কেউ দস্তাবেজ অনুবাদ করুন।

Este es un documento legal importante. Por favor, que alguien traduzca el documento.

这是一份重要的法律文件。请让别人翻译文件。

Ky është një dokument ligjor i rëndësishëm. Ju lutem, kini dikë ta përktheni dokumentin.

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; 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 via telephone conference on February 27, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Ashley Warner, Assistance Payments Supervisor (APS).

During the hearing proceeding, the Department's Hearing Summary packet was admitted as Exhibit A, pp. 1-60.

ISSUE

Did the Department properly determine Petitioner's eligibility for State Disability Assistance (SDA)?

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 August [REDACTED] 2024, Petitioner applied for cash assistance and reported he was disabled. (Exhibit A, pp. 1 and 4-9)

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2. On August ■ 2024, an Appointment Notice was issued to Petitioner scheduling a telephone interview for September 5, 2024 between 11:00 am and 1:00 pm. (Exhibit A, p. 10)
 3. On September ■ 2024, the Department attempted to call Petitioner at 11:19 am and 11:30 am and left voicemails. (Exhibit A, pp. 1, 4, and 57)
 4. On September ■ 2024, a Verification Checklist was issued to Petitioner requesting verification of assets with a due date of September ■ 2025. (Exhibit A, pp. 11-13)
 5. On September ■ 2020, a Quick Note was issued requesting documentation needed for the Medical Review Team (MRT) to make a disability determination with a due date of September ■ 2024. (Exhibit A, p. 14)
 6. On September ■ 2024, Petitioner called the Department and rescheduled his interview for September ■ 2024 between 10:00 am and 12:00 pm. (Exhibit A, pp. 1 and 57)
 7. On September ■ 2024, the Department called Petitioner at 1:08 pm and did not reach Petitioner. (Exhibit A, pp. 1, 4, and 57)
 8. On September ■ 2024, a Notice of Case Action was issued to Petitioner stating SDA was denied. (Exhibit A, pp. 15-20)
 9. On October 8, 2024, Petitioner submitted a hearing request contesting the Department's determination. (Exhibit A, pp. 1 and 3)
 10. The Department acknowledged that an error was made and began reprocessing the August ■ 2024 SDA application. An interview was completed on December ■ 2024. The case was pending awaiting a disability determination from the MRT at the time of the February 27, 2025 hearing. (Exhibit A, pp. 1 and 22-29; APS Testimony)

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 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.

Department policy requires an interview as part of the application processing for SDA. BAM 115, May 1, 2024, pp. 16-23)

In this case, Petitioner called the Department on September █ 2024, and rescheduled his interview for September █ 2024 between 10:00 am and 12:00 pm. (Exhibit A, pp. 1 and 57). On September █ 2024, the Department called Petitioner at 1:08 pm and did not reach Petitioner. (Exhibit A, pp. 1, 4, and 57).

The Department acknowledged that an error was made and began reprocessing the August █ 2024 SDA application. An interview was completed on December █ 2024. The case was pending awaiting a disability determination from the MRT at the time of the February 27, 2025 hearing. (Exhibit A, pp. 1 and 22-29; APS Testimony).

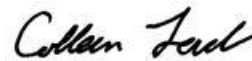
DECISION AND ORDER

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 determined Petitioner's eligibility for SDA.

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. If not already completed, continue reprocessing Petitioner's August █ 2024 SDA application.



COLLEEN LACK
ADMINISTRATIVE LAW JUDGE

APPEAL RIGHTS: Petitioner may appeal this Hearing Decision to the circuit court. Rules for appeals to the circuit court can be found in the Michigan Court Rules (MCR), including MCR 7.101 to MCR 7.123, available at the Michigan Courts website at courts.michigan.gov. The Michigan Office of Administrative Hearings and Rules (MOAHR) cannot provide legal advice, but assistance may be available through the State Bar of Michigan at <https://lrs.michbar.org> or Michigan Legal Help at <https://michiganlegalhelp.org>. A copy of the circuit court appeal should be sent to MOAHR. A circuit court appeal may result in a reversal of the Hearing Decision.

Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation of the specific reasons for the request, and any documents supporting the request. The request should be sent to MOAHR

- by email to MOAHR-BSD-Support@michigan.gov, **OR**
- by fax at (517) 763-0155, **OR**
- by mail addressed to
Michigan Office of Administrative Hearings and Rules
Rehearing/Reconsideration Request
P.O. Box 30639
Lansing Michigan 48909-8139

Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed.

Via Electronic Mail:

Respondent

WEXFORD COUNTY DHHS
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HEARINGS@MICHIGAN.GOV**

KARADSHEHL

BSC1HEARINGDECISIONS

MOAHR

Via First Class Mail:

Petitioner

