



Date Mailed: February 12, 2025
Docket No.: 25-002517
Case No.: [REDACTED]
Petitioner: [REDACTED]

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এটি একটি গুরুত্বপূর্ণ আইনি উকুমেন্ট। দয়া করে কেউ দ্রষ্টাবেজ অনুবাদ করুন।

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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; 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 February 6, 2025, from Lansing, Michigan. The Petitioner was represented by herself. The Department of Health and Human Services (Department) was represented by Andrea Edward. Department Exhibit 1, pp. 1- was received and admitted.

ISSUE

Did the Department properly process Petitioner's State Emergency Relief (SER) benefit?

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 [REDACTED], Petitioner applied for SER for furnace replacement.
2. On December 4, 2024, Petitioner submitted an estimate from Climate Pros for \$[REDACTED].

3. On December 9, 2024, an SER Decision Notice was sent to Petitioner informing her that DHS would pay \$ [REDACTED] after Petitioner submitted proof that she made her copayment amount of \$ [REDACTED].
4. On December 16, 2024, Petitioner submitted proof that she paid \$ [REDACTED] to Climate Pros. (Ex. 1, p. 29) The receipt is dated November 21, 2024.
5. On January 13, 2025, Petitioner requested a hearing questioning why she did not receive payment from the Department.

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.

Notification

If the SER group meets all eligibility criteria but has a copayment, shortfall or contribution, do not issue payment until the client provides proof that their payment has been made or will be made by another agency. ERM 208, p.5

In this case, Petitioner was approved for SER for furnace replacement on [REDACTED] 2024, and was sent an SER Decision Notice telling her that she needed to show proof of payment to the furnace company in the amount of \$ [REDACTED] and then the Department would issue \$ [REDACTED] payment. Petitioner provided a receipt showing the full amount was paid to the furnace company on [REDACTED] 2024, the day before she applied for SER. Therefore, at the time of application Petitioner did not have an emergency and was not eligible for SER.

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 processed Petitioner's SER benefit.

DECISION AND ORDER

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



AARON MCCLINTIC
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. Requests MOAHR receives more than 30 days from the mailing date of this Hearing Decision may be considered untimely and dismissed. 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

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Via Electronic Mail:

Respondent
ST CLAIR COUNTY DHHS
220 FORT ST
PORT HURON, MI 48060
MDHHS-STCLAIR-
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Interested Parties

E. Holzhausen
J. McLaughlin
MOAHR
BSC2

Via First Class Mail:

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