



Date Mailed: March 19, 2025

Docket No.: 25-002721

Case No.:

Petitioner:

«RECIP_FULL_NAME»

«RECIP_ADD0»

«RECIP_ADD1»

«RECIP_ADD2»

«RECIP_CITY», «RECIP_SPCODE»

«RECIP_POSTAL»

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; 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 February 19, 2025 and the parties participated jointly by Microsoft Teams from the Michigan Department of Health and Human Services (Department) local office. Petitioner appeared and represented himself. The Department was represented by Jacob Frankmann, Assistance Payments Supervisor.

ISSUE

Did the Department properly issue Petitioner State SSI Payments (SSP) from January 1, 2024 through December 31, 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 is an ongoing recipient of Supplemental Security Income (SSI). (Exhibit A, pp. 7, 9).
2. On January 20, 2024, the Department sent Petitioner a SSP Notice (SSPN) that stated Petitioner was approved for a \$[REDACTED] per month SSP benefit that would be

issued quarterly on March 11, 2024, June 10, 2024, September 10, 2024, and December 9, 2024. The SSPN notified Petitioner that if his SSI was deposited electronically, his SSP may be deposited into the same account. (Exhibit A, p. 6).

3. The Department issued four quarterly payments for SSP to Petitioner in 2024. The payments were issued on March 11, 2024, June 10, 2024, September 10, 2024, and December 9, 2024. Department records reflect each payment was cancelled. (Exhibit A, p. 8).
4. On January 8, 2025, the Department received a request for hearing from Petitioner disputing that he has not received an SSP since December 2023. (Exhibit A, pp. 3 – 5).
5. On January 15, 2025, the Department determined Petitioner's SSP were returned by his bank and that the local office would need to reissue the payments. (Exhibit A, p. 10).

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.

Petitioner requested a hearing because he had not received a quarterly SSP since December 2023. Upon receipt of Petitioner's request for hearing, the Department discovered that Petitioner's bank had returned each SSP issued to him in 2024.

Checks issued by the Department are called warrants. Bridges Program Glossary (June 2024), p. 75. SSP warrants are issued to the individual's account as designated by the Social Security Administration (SSA). BEM 660 (October 2021), p. 2. When a SSP warrant is returned to the Department, it is to contact the client. BAM 505 (July 2024), p. 4. Returned warrants are voided, mailed to the client, or made available at the local office for the client to pick up. BAM 505, pp. 1, 3.

The Department's local office is responsible for responding to all client inquiries and processing rewrites of undelivered, lost, stolen, not received, or destroyed SSP warrants. BEM 660, p. 4. When a client requests replacement of a warrant they did not receive, the Department must determine if it was returned/cancelled, as returned/cancelled warrants are replaced except under specific circumstances. BAM 505, p. 1.

In this case, Petitioner testified that he has not received his SSP since December 2023. He testified that he has reported the issue to the Department a number of times and the issue remained unresolved, which prompted him to request a hearing. The evidence established that as of at least January 14, 2025, the Department was aware that each of Petitioner's 2024 SSP were each returned to the Department by Petitioner's bank as cancelled. (Exhibit A, pp. 8 – 10). Although there was some testimony regarding the bank account that received, and returned, Petitioner's SSPs, neither Petitioner nor the Department could clearly identify the appropriate bank account or otherwise explain why Petitioner's bank returned each SSP warrant issued in 2024. There was no evidence that, as of the date of the hearing, Petitioner's 2024 SSPs had been reissued. Therefore, the Department failed to satisfy its burden of showing that it acted in accordance with Department policy when each of Petitioner's 2024 SSPs were returned to the Department.

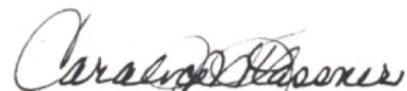
DECISION AND ORDER

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 each of Petitioner's 2024 SSPs were returned to the Department.

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

TO THE EXTENT IT HAS NOT ALREADY DONE SO, 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. Contact Petitioner regarding the 2024 returned SSP warrants;
2. If Petitioner is eligible, process rewrites of Petitioner's returned SSP warrants; and
3. Notify Petitioner of its decision in writing.



CARALYCE M. LASSNER
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

Documents sent via email are not secure and can be faxed or mailed to avoid any potential risks.

Via Electronic Mail:

Respondent

OAKLAND COUNTY DHHS -
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SOUTHFIELD, MI 48033
**MDHHS-OAKLAND-6303-
HEARINGS@MICHIGAN.GOV**

Interested Parties

M. SCHAEFER
BSC4

Via First Class Mail:

Petitioner

[REDACTED]