



Date Mailed: March 19, 2025
Docket No.: 25-006640
Case No.: [REDACTED]
Petitioner: [REDACTED]

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

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

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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 telephone on March 13, 2025. Petitioner appeared and represented himself. The Department of Health and Human Services (Department) was represented by Princess Ogundipe, Assistance Payments Supervisor.

ISSUE

Did the Department properly process Petitioner's application for State Disability Assistance (SDA) cash assistance?

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] 2025, the Department received an application for SDA and State Emergency Relief (SER) assistance from Petitioner.
2. On January 17, 2025, the Department sent Petitioner a Medical Determination Verification Checklist (VCL) and related forms, with a due date of

January 27, 2025. The VCL was blank as to which verifications were required. (Exhibit A, pp. 6 – 8).

3. On January 29, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied Petitioner SDA effective February 1, 2025 ongoing, for failure to return requested verifications. (Exhibit A, pp. 10 – 11).
4. The Department closed Petitioner's Food Assistance Program (FAP) and Medicaid (MA) cases due to his failure to provide verifications for SDA benefits.
5. On February 3, 2025, the Department received a request for hearing from Petitioner, disputing the Department's denial of his application for SDA and closure of his FAP and MA cases.
6. On February 11, 2025, the Department sent Petitioner a second VCL that requested Petitioner provide a completed Medical Social Questionnaire, authorization to release protected health information, and proof of a pending application for Social Security disability benefits or of an appointment to apply for such benefits. The Department requested that the verification be provided by February 21, 2025. (Exhibit A, p. 9).
7. On February 19, 2025, the Department received all requested verifications from Petitioner.
8. On February 21, 2025, the Department submitted Petitioner's verifications to the Disability Determination Service (DDS).

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).

Petitioner requested a hearing to dispute the Department's denial of Petitioner's application for SDA and closure of Petitioner's FAP and MA cases. The Department initially denied Petitioner's application for SDA for failure to provide verifications and closed Petitioner's FAP and MA cases based on the same failure to provide verifications. The Department subsequently reopened Petitioner's application for SDA and reinstated Petitioner's FAP and MA benefits without interruption.

As a preliminary matter, after commencement of the hearing, Petitioner testified that his issues with regard to FAP and MA were resolved and requested to withdraw his request for hearing concerning those programs. The Department testified that Petitioner's FAP benefits were reinstated with no lapse in benefits and that Petitioner's MA coverage was

reinstated with no lapse in coverage. Petitioner's request for hearing as to those programs was withdrawn on the record and the Department had no objection. Therefore, Petitioner's request for hearing as to FAP and MA are dismissed.

The hearing continued to address Petitioner's dispute regarding the Department's denial of his application for SDA only.

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.

When the client applies for SDA benefits and claims a disability, the Department must verify the client's claim to determine eligibility. BEM 261 (April 2017), pp. 1, 5; BEM 270 (January 2025), p. 1; BAM 815 (January 2025), pp. 1 – 2. To obtain verification, the Department must tell the client what verification is required, how to obtain it, and the due date. BAM 130 (May 2024), p. 3. When the Department denies an SDA application in error, it must correct the error as soon as possible. BAM 115 (October 2024), p. 32.

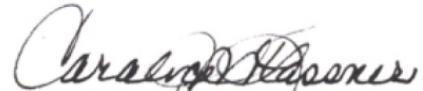
Petitioner disputed the Department's denial of his SDA application for failure to return verifications. The evidence established that the original verification checklist the Department sent Petitioner did not indicate which verifications were required. The Department explained that upon review of Petitioner's case following his request for hearing, it identified its error and reopened Petitioner's SDA application and issued a second VCL to Petitioner that identified the requested verifications. The Department testified that all verifications requested on the second VCL were timely received and were forwarded to DDS on February 21, 2025. As of the date of the instant hearing, DDS had not made a determination as to Petitioner's SDA application.

Thus, although the Department initially failed to act in accordance with Department policy when it denied Petitioner's SDA application for failure to provide verifications but had not advised Petitioner of what verifications were required, it corrected its error as soon as possible by a) reopening Petitioner's SDA application, and b) requesting necessary verifications. Therefore, the Department acted in accordance with policy when it promptly took corrective action on Petitioner's SDA application after discovering that it had made an error.

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 acted in accordance with Department policy when it took appropriate corrective action as soon as possible after discovering that it had made an error when it denied Petitioner's SDA application.

Accordingly, Petitioner's request for hearing as to FAP and MA are **DISMISSED**, and the Department's decision is **AFFIRMED**.



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. 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:

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Interested Parties

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Via First Class Mail:

Petitioner

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