



Date Mailed: April 17, 2025

Docket No.: 25-009866

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; 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 April 14, 2025. Petitioner appeared and represented himself. The Department of Health and Human Services (Department) was represented by Shyla Coleman, Eligibility Specialist and Hearing Facilitator. Translation services were provided by Abel Samano, an independent English-Spanish translator engaged by the Department.

### **ISSUE**

Did the Department properly deny Petitioner State Disability Assistance (SDA) cash assistance effective February 16, 2025?

### **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 cash assistance from Petitioner. (Exhibit A, pp. 6 – 11).

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2. On February 12, 2025, the Department sent Petitioner a Verification Checklist (VCL) for the Food Assistance Program (FAP). The VCL requested Petitioner provide verification of donation income to the Department by February 24, 2025. No other verifications were requested. (Exhibit A, pp. 12 – 14).
  3. On February 28, 2025, the Department sent Petitioner a Notice of Case Action (NOCA) that denied Petitioner SDA cash assistance effective February 16, 2025 ongoing for failure to provide verification of his citizenship and/or immigration status, and approved Petitioner for FAP benefits effective March 1, 2025 ongoing. (Exhibit A, pp. 15 – 17).
  4. On March 7, 2025, the Department received a request for hearing from Petitioner, disputing the Department's denial of his application for SDA cash assistance. (Exhibit A, pp. 3 – 5).

### **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.

Petitioner requested a hearing to dispute the denial of his SDA benefits application. The Department denied Petitioner's SDA benefits application for failure to provide verification of his citizenship and/or immigration status.

To receive SDA cash assistance, individuals must meet all financial and non-financial eligibility requirements, including citizenship/non-citizenship status or special immigration status. BEM 209 (January 2022), pp. 1, 4 – 5; BEM 261 (April 2017), p. 1. The Department must verify the status of each non-citizen who applies for benefits. BEM 225 (November 2024), pp. 1 – 2; BEM 225A (April 2022), p. 1. 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. To verify citizenship or identity for SDA cash assistance, the Department must use the Verification Checklist for Citizenship/Identity, Department form DHS-3503C. BAM 130, p. 3. If the client refuses to provide the requested verification, or the deadline has passed and the client has not made a reasonable effort to provide the requested verification, the Department must send the client a notice that the application for assistance is denied. BAM 130, p. 7.

In this case, the Department received an application for SDA cash assistance from Petitioner on [REDACTED], 2025. Petitioner reported that he was not a United States (US) citizen and had an eligibility immigration status. (Exhibit A, p. 7). On February 12, 2025, the Department sent Petitioner a VCL for FAP benefits and requested verification of donation income but did not request any other verifications from Petitioner. The Department denied Petitioner's request for SDA assistance on February 28, 2025 due to his failure to provide verification of his citizenship and/or immigration status.

The Department testified that it did not send Petitioner any other VCLs in January, February, or March 2025, and there was no evidence that the Department sent Petitioner the Verification Checklist for Citizenship/Identity at any time relevant to Petitioner's [REDACTED] 2025 SDA application. Because the Department did not send Petitioner a request for verification of his citizenship and/or immigration status, it did not act in accordance with Department policy when it denied Petitioner's SDA cash assistance application for failure to verify his citizenship and/or immigration status.

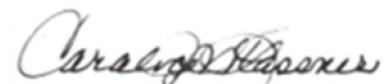
### **DECISION AND ORDER**

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 did not act in accordance with Department policy when it denied Petitioner's January 29, 2025 SDA cash assistance application.

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 eligibility for SDA cash assistance benefits effective January 29, 2025 ongoing, requesting verifications if necessary;
1. If Petitioner is determined to be eligible, issue SDA supplements to Petitioner for benefits he is eligible to receive from January 29, 2025 ongoing; and,
2. Notify Petitioner in writing of its decision.



**CARALYCE M. LASSNER**  
**ADMINISTRATIVE LAW JUDGE**

25-009866

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**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](https://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](mailto: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**  
WAYNE-TAYLOR-DHHS  
25637 ECORSE RD  
TAYLOR, MI 48180  
**MDHHS-WAYNE-18-  
HEARINGS@MICHIGAN.GOV**



**Interested Parties**  
L. KARADSHEH  
BSC4

**Via First Class Mail:**

**Petitioner**

