



Date Mailed: April 4, 2025

Docket No.: 25-010191

Case No.: [REDACTED]

Petitioner: [REDACTED]

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

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

[REDACTED]

HEARING DECISION

On February 26, 2025, Petitioner [REDACTED] [REDACTED] requested a hearing to dispute a State SSI Payment (SSP) determination. As a result, a hearing was scheduled to be held on April 2, 2025. Public assistance hearings are held 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; 45 CFR 205.10; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared with his authorized hearing representative, [REDACTED]. Respondent Michigan Department of Health and Human Services (Department) had Eligibility Specialist Jennifer DePoy appear as its representative. Neither party had any additional witnesses.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 15-page packet of documents provided by the Department was admitted collectively as Exhibit A.

ISSUE

Did the Department properly reduce Petitioner's State SSI Payment (SSP)

FINDINGS OF FACT

The Administrative Law Judge, based on the competent, material, and substantial evidence on the whole record, finds as material fact:

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1. Petitioner receives Supplemental Security Income (SSI) from the Social Security Administration (SSA).
 2. The SSA did not issue a regular first of the month SSI payment to Petitioner in January 2025. The SSA did not issue a regular first of the month SSI payment to Petitioner in January 2025 due to an overpayment. Petitioner is disputing the overpayment with the SSA.
 3. On February [REDACTED] 2025, the Department mailed a notice of state SSI payment change to Petitioner to notify Petitioner that his SSP was going to be reduced for the first quarter of 2025. The notice stated, "the Social Security Administration notified the Michigan Department of Human Services you did not receive a regular first of the month SSI payment for (1,2) months."
 4. The Department issued Petitioner a reduced SSP payment of \$[REDACTED] on March 11, 2025, for the first quarter of 2025.
 5. Petitioner requested a hearing to dispute the Department's decision.

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.

Supplement Security Income (SSI) is a cash benefit to needy persons who are aged (at least 65), blind, or disabled. BEM 660 (October 1, 2021), p. 1. SSI is administered by the SSA. The Department does not determine whether an individual is eligible for SSI. In Michigan, SSI payments are supplemented with SSP. *Id.* An individual is only eligible for SSP for the months an individual received a regular first of the month SSI payment as shown on the State On-Line Query (SOLQ). *Id.* at 1. The SOLQ is an application that allows the Department to access SSA data. Regular first of the month SSI payments are shown on the SOLQ as a recurring payment dated the first of the month. *Id.*

Petitioner did not receive a regular first of the month SSI payment for January 2025. Since SSP is only issued for months that a regular first of the month SSI payment is issued, the Department properly reduced Petitioner's SSP payment for the first quarter of 2025 when Petitioner did not receive a regular first of the month SSI payment for January 2025.

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 its policies and the applicable law when it reduced Petitioner's SSP.

IT IS ORDERED that the Department's decision is **AFFIRMED**.



JEFFREY KEMM
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.

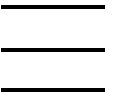
Either party who disagrees with this Hearing Decision may also send a written request for a rehearing and/or reconsideration to MOAHR within 30 days of the mailing date of this Hearing Decision. The request should include Petitioner's name, the docket number from page 1 of this Hearing Decision, an explanation 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
JACKSON COUNTY DHHS
301 E LOUIS GLICK HWY
JACKSON, MI 49201
**MDHHS-JACKSON-
HEARINGS@MICHIGAN.GOV**



SCHAEFERM

BSC4HEARINGDECISIONS

MOAHR

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED]
[REDACTED]

Authorized Hearing Rep

[REDACTED]
[REDACTED]
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