



Date Mailed: June 30, 2025

Docket No.: 25-019962

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.

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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; 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 via telephone conference on June 26, 2025. Petitioner appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Dana Quirin and Suzie Perez. Department Exhibit 1, pp. 1-29 was received and admitted.

ISSUE

Did the Department properly deny Petitioner's State Emergency Relief (SER) application because he failed to make the co-payment?

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 April [REDACTED] 2025, Petitioner applied for SER seeking assistance with an electrical repair.
2. On April [REDACTED] 2025, Petitioner was pseudo-authorized for payment with a co-payment of \$[REDACTED] due by May 3, 2025.
3. On April [REDACTED] 2025, Petitioner requested hearing disputing the denial of SER.
4. On May [REDACTED] 2024, SER payment was denied because no proof of full co-payment was received. (Ex. 1, p. 26)

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

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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.

Energy-Related Home Repairs

The Low Income Home Energy Assistance Program (LIHEAP) is the funding source for energy-related repairs. Repair or replacement of a non-functioning furnace is currently the only allowable energy-related home repair. The lifetime maximum for energy-related home repairs is \$4,000. All energy-related repairs approved since 1/1/1978 count toward this maximum, including previously authorized repairs covered as energy-related home repairs. View Benefit Issuance/SER Adjustments/View SER Cap to verify the cumulative total of energy related home repairs. ERM 304

Non-Energy Related Home Repairs

Non-energy-related repairs include all home repairs for client owned housing except furnace repair or replacement. Examples include: • Repairs to the basic structure. • Hot water heater. • Septic/waste disposal system. • Doors/windows. • Extermination services. • Electrical. • Plumbing. • Roofs. • Wells/water supply system. • Wheelchair ramps. Authorization for payment is only made if the repair(s) is essential to remove a direct threat to health or safety or is required by law or a mobile home park regulation. The repair(s) must restore the home to a safe, livable condition. SER does not pay for improvements or nonessential repairs. The lifetime maximum for non-energy-related home repairs is \$1,500 per SER group. All non-energy-related repairs approved since 12/1/1991 count toward this maximum. Bridges has a record of all non-energy home repairs since 12/1/1991. View Benefit Issuance/SER Adjustments/View SER Cap to verify the cumulative total of energy related home repairs. Non-energy home repairs authorized between 10/1/1995 and 09/30/1997 required placing a lien on the homestead. Liens filed during this period are still valid and must be repaid. See ERM 403, Lien on Real Property, for discharge procedures. Do not merge or interchange the energy-related and non-energy related home repair maximums. The lifetime maximum remains with each individual even if case numbers change. ERM 304

Total Copayment

The income and asset copayments combined together determine the SER group's total copayment. The total copayment is the amount the SER group must pay toward their emergency. Copayment amounts are deducted from the cost of resolving the emergency. Example: The applicant has an eviction for \$100. The shortfall copayment is \$15 and the income copayment is \$100. Subtract the total \$115 copayment from the \$100 need. SER is denied because the copayment exceeds the need. Example: The

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applicant has an eviction for \$400. The shortfall copayment is \$15 and the income copayment is \$100. Subtract the total \$115 copayment from the \$400 need. The available SER payment is then \$285. The \$285 payment may be made once it is verified that the client's \$115 copayment has been paid. The group is not required to pay the copayment more than once during the 30-day authorization period. If multiple services are requested, the client is only required to pay the copayment on one service. However, the copayment must be paid before any other service is paid. The client is notified on the DHS-1419, Decision Notice, of their copayment amount and the deadline to return verification that they have paid their copayment. In Bridges, the worker must pseudoauthorize the application in order to establish the deadline date and to issue the DHS-1419. The deadline date is always the last day of the 30-day eligibility period regardless of when the client requests the service. The client must provide verification of their payment by the last day of the 30-day eligibility period. ERM 208

In this case, Petitioner was approved for electrical repair but was required to make a co-payment totaling \$[REDACTED]. Petitioner provided proof of \$[REDACTED] in co-payments. Since Petitioner did not provide proof of total required co-payment the Department did not issue payment. That action was proper and correct and consistent with Department policy. ERM 304 Petitioner did not dispute that he did not make the full co-payment.

At hearing, Petitioner argued that he needed electrical service to heat his home and therefore his electrical heat was equivalent to a furnace, and he should not have been responsible for a co-payment. ERM 304 clearly states that "Repair or replacement of a non-functioning furnace is currently the only allowable energy-related home repair." Petitioner did not have a non-functioning furnace and his requested repair did not fall under this policy.

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 denied Petitioner's SER payment for failing to make the required co-payment amount.

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. 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
CASS COUNTY DHHS
325 M-62
CASSOPOLIS, MI 49031
**MDHHS-CASS-
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Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED]
[REDACTED]