



Date Mailed: July 25, 2025

Docket No.: 25-021686

Case No.: [REDACTED]

Petitioner: [REDACTED] [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

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দ্বারা অনুবাদ করুন।

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Ky është një dokument ligjor i rëndësishëm. Ju
lутем, кини дикë та пëркtheni 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 July 17, 2025. Petitioner appeared and was represented by his father [REDACTED]. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Becky Fraser, Hearing Facilitator. Department Exhibit 1, pp. 1-11 was received and admitted.

ISSUE

Did the Department properly close Petitioner's State SSI Payment (SSP) case?

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 was receiving SSI from the Social Security Administration and SSP payment from the State of Michigan.
2. On May [REDACTED] 2025, Notice of State SSI Payment change was sent to Petitioner informing him that his SSP payment was cancelled. (Ex. 1, pp. 6-7)
3. On May 28, 2025, Petitioner requested hearing disputing the closure of SSP. (Ex. 1, pp. 3-4)
4. Petitioner SSI payment is not showing as a recurrent monthly payment. Petitioner's payment is showing as a Goldberg/Kelly continuation payment. (Ex. 1, p.9)

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.

State SSI Payment

The Michigan Department of Health and Human Services (MDHHS) issues the State SSI Payment (SSP) to SSI recipients in the following living arrangements:

- Independent living.
- Household of another. (Living in the household of another person and receiving partial or total support and maintenance in kind from that person.)

Note: For payment levels see RFT 248 Reference Tables.

Payments are made for only those months the recipient received a regular first of the month federal benefit. These are shown on SOLQ as a **recurring payment dated the first of the month**. BEM 660(October 2021)

In this case, Petitioner is receiving SSI from the Social Security Administration under Code G which references the Goldberg v. Kelly US Supreme Court Case. The SSI Coordinator responded to the local office by email with the following: "SSI is currently being paid through Goldberg/Kelly, the State does not pay the SSP supplement under this code." (Ex. A, p.9) A screen shot was also included in the email that shows "Medical Eligibility Code: Goldberg/Kelly payment continuation". It appears that Petitioner's SSI was being processed for closure by the Social Security Administration but Petitioner is disputing that closure and SSI remains open during that appeal. Petitioner's SSI payment is not showing as a recurring payment. Therefore, the Department closure of SSP was consistent with Department policy. BEM 660

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 closed Petitioner's SSP case.

DECISION AND ORDER

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

Aaron McClintic
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

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Authorized Hearing Rep

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Petitioner

[REDACTED]
[REDACTED]
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