



**Date Mailed:** July 18, 2025

**Docket No.:** 25-022304

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED], MI [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.

**Date Mailed:** July 18, 2025

**Docket No.:** 25-022304

**Case No.:** [REDACTED]

**Petitioner:** [REDACTED]

### **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, an in-person hearing was held on July 14, 2025, from Detroit, Michigan. Petitioner appeared for the hearing and represented himself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Corlette Brown, Hearing Facilitator; Charles Walker, Assistance Payments Supervisor; and Raychael Green, District Manager.

### **ISSUE**

Did the Department properly process Petitioner's applications for State Emergency Relief (SER) assistance and State Disability Assistance (SDA)?

### **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 or around [REDACTED] 2025, Petitioner submitted an application requesting SDA benefits. (Exhibit A, pp. 9)
2. On or around April 23, 2025, the Department sent Petitioner's medical documentation to the Disability Determination Services (DDS); however, as of the hearing date, the DDS had not issued any decision regarding Petitioner's disability and thus, the Department had not issued any updated SDA eligibility determination.
3. On or around [REDACTED] 2025, Petitioner submitted an application requesting SER assistance with heat and electric services. (Exhibit A, pp. 11-27)
  - a. On the application, Petitioner reported that his heat and electric services have been shut off and included a handwritten note regarding the amount of deposit needed to restore services. (Exhibit A, pp. 11-27)
4. On or around June 6, 2025, the Department sent Petitioner a State Emergency Relief Decision Notice advising that his request for SER assistance with heat and electric services was denied.

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5. Petitioner is an ongoing recipient of Food Assistance Program (FAP) benefits in the monthly amount of \$292.
  6. Petitioner is an ongoing recipient of Medical Assistance (MA) benefits.
  7. Petitioner is not the parent or caretaker of any minor children.
  8. On or around June 9, 2025, Petitioner requested a hearing disputing the Department's actions with respect to the FAP, MA, FIP, SDA, and SER programs.
  9. At the hearing, Petitioner confirmed that he no longer had any issue or dispute with respect to the FAP, MA, and FIP. Petitioner did not submit an application for and was not an ongoing recipient of Family Independence Program (FIP) benefits. Petitioner agreed to the dismissal of his request for hearing regarding the FAP, MA, and FIP, as there was no negative action taken by the Department with respect to those programs. Thus, Petitioner's request for hearing regarding the FAP, MA, and FIP is **DISMISSED**.
  10. On or around June 12, 2025, the Department reprocessed Petitioner's SER application, as it had initially been denied in error. The Department issued a State Emergency Relief Decision Notice advising that his request for SER assistance with electric services was approved in the amount of [REDACTED] and his request for SER assistance with heat services was approved in the amount of [REDACTED] (Exhibit B)
  11. On or around June 18, 2025, the Department made its approved payments of [REDACTED] for electric and [REDACTED] for heat to DTE. (Exhibit B)

### **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).

#### **SDA**

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.

In this case, Petitioner disputed the Department's failure to timely process his [REDACTED] 2025, SDA application.

When the Department receives an application for assistance, it is to be registered and processed in accordance with Department policies. The date of application is the date

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the local office receives the required minimum information on an application or the filing form. BAM 110 (January 2025), pp.3-9, 15-21. Once an application is registered, the Department must certify eligibility results for each program requested within the applicable standard of promptness (SOP). The SOP begins the date the department receives an application/filing form, with minimum required information. The SOP is 60 days for SDA applications, with this date being extended 60 days from the date of deferral by the Medical Review Team (MRT) or Disability Determination Service. BAM 115 (October 2024), pp. 1, 15-24. The Department is to follow the instructions in BAM 815, Medical Determination and Disability Determination Service (DDS), Steps for Medical Determination Applications. The DDS will gather and review the medical evidence and either certify or deny the disability claim based on the medical evidence. BEM 261, p. 4; BAM 815 (January 2025), pp. 1-11. The Department is to certify approval or denial of the application and to notify clients in writing of positive and negative actions by generating the appropriate notice of case action, which is printed and mailed centrally from the consolidated print center. A negative action is a Department action to deny an application or to reduce, suspend or terminate a benefit. After processing an initial application, the Department will notify clients of the approval or denial. BAM 115, pp. 1, 23-25; BAM 220 (November 2023), pp. 1-3.

At the hearing, the Department representative testified that it started processing Petitioner's SDA application and his medical documentation was sent to the DDS on or around April 23, 2025, for a disability determination. Petitioner confirmed that the DDS had requested additional medical documentation from him and that he recently participated in a consultative examination, suggesting that the DDS was going through the correct process. However, as of the hearing date, there had been no decision made by the DDS regarding whether Petitioner met the criteria for disability. Therefore, there had been no eligibility decision certified by the Department regarding approval or denial of the application. Thus, the Department will be ordered to complete processing of the application and issue an eligibility determination.

### **SER**

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.

Eligible households who meet all SER eligibility requirements may receive assistance to help them with household heat and electric costs. Funding for energy services assistance is provided through the Low-Income Home Energy Assistance Program (LIHEAP). ERM 301 (May 2025), p. 1. A household may receive one SER payment for heat and one SER payment for non-heat electricity, not to exceed the SER cap, for the current fiscal year. Payments are applied to the fiscal year cap based on the SER Service Request Date, not the Benefit Issuance Date. ERM 301, p.1. The fiscal year for heat and electric is October 1 through September 30. ERG Glossary, pp. 5-6.

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When the group's heat or electric service for their current residence is in past due status, in threat of shutoff or is already shut off and must be restored, payment may be authorized to the enrolled provider. ERM 301, pp. 3-5. The SER energy request should be processed using the past due or shutoff amount, whichever is the most advantageous. Payment must resolve the emergency by restoring or continuing the service for at least 30 calendar days. Current bills that are not past due or not subject to shutoff should not be included in the amount needed. ERM 301, pp. 3-5. The Department must verify past due status, threatened shutoff or the need for reconnection of natural gas or electricity by using the online portal or contacting the energy company. A bill must be obtained before authorizing a payment. The Department will contact the energy company and can use the online resources for agencies to access a client's energy account information online and verify the account statement provided on the website in lieu of an actual bill. If the online statement is used, a copy must be retained in the case record. ERM 301, pp.10-15.

Additionally, deposits and reconnect fees can be paid if they are necessary to prevent an emergency and are required by the provider. These fees are not included in the fiscal year cap but do have a dollar limit per occurrence. BEM 301, p.5. The Department will verify past due status, threatened shutoff or the need for reconnection of natural gas or electricity by using the online portal or contacting the energy company. ERM 301, pp. 11-12.

At the hearing, the Department representative testified that Petitioner's ██████ 2025, SER application was initially denied in error and that it was reprocessed. The Department representative testified that on or around June 12, 2025, the Department issued a State Emergency Relief Decision Notice advising Petitioner that his request for SER assistance with electric services was approved in the amount of ██████ and his request for SER assistance with heat services was approved in the amount of ██████ (Exhibit B). The Department asserted that Petitioner was approved for the fiscal year cap of ██████ towards electric services and ██████ for heat services was the amount identified on the online resources for agencies as being needed for Petitioner's DTE account. The Department presented evidence that payment was made to DTE in the approved amount on or around June 18, 2025.

Petitioner confirmed that the Department issued payment to DTE towards electric and heat services; but asserted that his heat and electric has been shut off at his home since 2024 and despite the payments, his utilities have not been restored. Petitioner testified that the application that he submitted to the Department was requested for a deposit to reconnect his service. Petitioner asserted that he was advised by DTE that he needed to pay a 10% deposit in order for his services to be reconnected. The Department reviewed Petitioner's ██████ 2025, SER application and confirmed that Petitioner reported that his heat and electric services have been shut off and included a handwritten note regarding the amount of deposit needed to restore services. (Exhibit A, pp. 11-27). The Department acknowledged that because Petitioner indicated on his application that he needed assistance with a deposit to reconnect his DTE services, his application could be processed as a request for deposits and reconnect fees, as that is

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a separate service. The Department asserted that it would reprocess Petitioner's [REDACTED] 2025, SER application to determine his eligibility for reconnect/deposit assistance and that a collateral contact with DTE would be made. Thus, based on the Department's testimony during the hearing, Petitioner's application will be reprocessed.

### **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 Petitioner's request for hearing with respect to the FAP, MA, and FIP is DISMISSED and the Department did not act in accordance with Department policy when it processed Petitioner's [REDACTED] 2025, SDA application and [REDACTED] 2025, SER application

Accordingly, the Department's SDA and SER 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. Continue processing Petitioner's [REDACTED] 2025, application for SDA benefits;
2. Issue supplements to Petitioner for any SDA benefits that he was eligible to receive but did not from the [REDACTED] 2025, application date, ongoing, in accordance with Department policy;
3. Register and process Petitioner's [REDACTED] 2025, application for SER assistance with heat and electric services to determine his eligibility for deposit/reconnect fees from the application date, ongoing;
4. Supplement Petitioner and/or his SER provider for any SER deposit/reconnect benefits that he was eligible to receive but did not from the [REDACTED] 2025, application date, ongoing; and
5. Notify Petitioner in writing of its decision.

  
ZAINAB A BAYDOUN  
ADMINISTRATIVE LAW JUDGE

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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://irs.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**  
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**Via**  
**First Class Mail:**

**Petitioner**  
[REDACTED]  
[REDACTED]  
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