



Date Mailed: August 27, 2025

Docket No.: 25-023035

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]
[REDACTED]
[REDACTED] MI [REDACTED]

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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 31, 2025. Petitioner appeared for the hearing and represented herself. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Richkelle Curney, Hearing Facilitator.

ISSUE

Did the Department properly process Petitioner's application for State Emergency Relief (SER) assistance with heat and electric services?

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, the Department received Petitioner's application requesting SER assistance with heat and electric services. On the application, Petitioner indicated that the amount being requested was \$2,657.91 for her DTE services. (Exhibit A, pp. 7-12)
2. The Department verified the status of Petitioner's DTE heat and electric accounts using the Online Resources for Agencies (ORA) and determined that Petitioner's total past due amount for DTE was \$2,657.91, which included \$1,873.06 for heat and \$784.85 for electric. (Exhibit A; Exhibit B)
3. On or around [REDACTED] 2025, the Department sent Petitioner a State Emergency Relief Decision Notice informing her that the Department approved [REDACTED] towards her \$1,873.06 request for assistance with heat services. The SER Decision Notice further informs Petitioner that she must make a \$1,373.06 contribution copayment towards her request for assistance for heat and provide proof that her payment has been made prior to July 1, 2025, or the Department would not make its approved [REDACTED] payment. The notice further informed Petitioner that the Department approved [REDACTED] towards her \$784.85 request for assistance with electric services and that she must make a \$284.85 contribution copayment towards her request for

assistance for electric and provide proof that her payment has been made prior to July 1, 2025, or the Department would not make its approved [REDACTED] payment. (Exhibit A, pp.14-16)

4. The Department concluded that because Petitioner did not timely submit proof that she made her required contributions, it would not make its approved payments of [REDACTED] towards her request for heat services and [REDACTED] towards her request for electric services.
5. On or around June 16, 2025, Petitioner requested a hearing disputing the Department's actions with respect to her SER case.

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 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.

In this case, Petitioner disputed the Department's denial of her SER application requesting assistance with heat and electric services.

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. The fiscal year payment maximums for both heat and electricity services is [REDACTED] ERM 301.

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

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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, SER group members must use their available income and cash assets that will help resolve the emergency and the Department will not authorize a SER payment unless it will resolve the emergency. The SER group must contribute toward the cost of resolving the emergency if SER does not cover the full cost of the service. Other persons or organizations can also contribute funds on behalf of the SER group. Prior to authorizing the Department's portion of the cost of services, verification that the contribution has been paid must be received before any SER payment can be made. ERM 208 (October 2024), pp.1-7. Department policy provides that if the SER group meets all eligibility criteria but has an income or asset copayment, shortfall, and/or contribution, verification of payment must be received in the local office within the 30-day eligibility period or no SER payment will be made and the client must reapply. If another agency is making the payment, proof that payment will be made is required. ERM 208; ERM 103, p. 4.

At the hearing, the Department representative testified that in connection with her SER application, the Department sent Petitioner a State Emergency Relief Decision Notice, advising her that the Department approved █████ towards her \$1,873.06 request for assistance with heat services and █████ towards her \$784.85 request for assistance with electric services, which is the maximum amount that can be approved per service, per fiscal year. Because the approved SER amount did not cover the full costs of the service requested, the Department determined that Petitioner was required to make a \$1,373.06 contribution copayment towards her request for assistance for heat and a \$284.85 contribution copayment towards her request for assistance for electric and submit verification that the payments have been made prior to July 1, 2025, or the Department would not make its approved payment. (Exhibit A, pp.14-16). The Department testified that because Petitioner did not submit any verification that her contribution payments were made, the Department did not make its approved █████ payments towards her requests for heat and electric services, and the SER application was denied on or around July 9, 2025.

Petitioner did not dispute that she failed to make her required contribution payment and provide proof of the payment by the due date. Petitioner argued that the payment was too high and she was unable to make the payment by the due date. Upon review, the Department approved Petitioner's request for SER assistance for each service in the amount of █████ which is the maximum amount allowable per SER policy. Additionally, Petitioner confirmed that the past due amount relied upon by the Department was correct. As referenced above, the SER group must contribute toward the cost of resolving the emergency if the approved SER amount does not cover the full cost of the

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service. Therefore, because Petitioner did not make her required contribution, the Department was not authorized to make its approved SER payments towards Petitioner's request for assistance with heat and electric services.

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 application.

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



ZAINAB A. BAYDOUN
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

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Via Electronic Mail:

Respondent
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Via First Class Mail:

Petitioner

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