



Date Mailed: September 4, 2025

Docket No.: 25-027772

Case No.: [REDACTED]

Petitioner: [REDACTED] [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[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 August 27, 2025. Petitioner was represented by his daughter [REDACTED] [REDACTED]. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Rebecca Ridley, Hearing Facilitator. Department Exhibit 1, pp. 1-33 was received and admitted.

ISSUE

Did the Department properly deny Petitioner's State Emergency Relief (SER) application for burial assistance because the copayment exceeded the maximum benefit amount?

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 June [REDACTED] 2025, Petitioner passed away.
2. On July [REDACTED] 2025, Petitioner's daughter applied for SER for burial assistance on behalf of Petitioner.
3. On July [REDACTED] 2025, an SER Decision Notice was sent to Petitioner's representative informing her that the application was denied because "The total of the client contribution amount, the death benefit amount, and the funeral contract amount is greater than the total need amount." The denial also states under comments "SER is denied due to the total countable assets in the checking and savings accounts exceed the MDHHS payment maximum of \$820."
4. On July [REDACTED] 2025, Petitioner's representative requested hearing disputing the denial of SER.
5. Petitioner had \$[REDACTED] in his bank accounts on June 30, 2025.

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.

Estates

When there is no surviving group member, assets owned by the decedent at the time of death constitute an estate. For a group of one, there is no automatic asset eligibility based on receipt of MA, FAP, SSI, etc. The estate includes all of the decedent's cash and non-cash assets such as a former homestead, auto, bank accounts, etc. The probate court determines the value of a deceased person's estate and the amount available to meet burial expenses. Relatives or others must file a petition to start probate court proceedings. Determine the SER Burial eligibility of a deceased person with an estate as follows:

- Estate Value Exceeds Burial Payment Deny the application if the value of the decedent's estate is projected to equal or exceed the SER burial payment. Estimates from expert sources (car dealers, tax statements, etc.) may be necessary to determine total estate value. Do not wait for a probate court final determination. ERM 306

MAXIMUM PAYMENTS FOR SER BURIAL SERVICES Effective 10/1/2024

Burial with memorial service Payment to Funeral Director \$575 Payment to Cemetery or Crematory \$145 Payment of Vault \$100 Total \$820. ERM 306

In this case, Petitioner had \$ [REDACTED] in his bank accounts on June 30, 2025. The MDHHS payment maximum payment for burial assistance is \$820. Therefore, Petitioner copayment exceeded the total maximum payment for burial services and that denial on that basis was proper and correct and consistent with Department policy. ERM 306

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 because the copayment exceeded the maximum benefit 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

GENESEE COUNTY DHHS CLIO RD
DIST
4809 CLIO RD
FLINT, MI 48502
**MDHHS-GENESEE-CLIO-
HEARINGS@MICHIGAN.GOV**

Via First Class Mail:

Petitioner

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Authorized Hearing Rep

[REDACTED]
[REDACTED]
[REDACTED]