



Date Mailed: October 21, 2025
Docket No.: 25-033093
Case No.: [REDACTED]
Petitioner: [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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Docket No.: 25-033093

Case No.: [REDACTED]

Petitioner: [REDACTED] [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, a hearing was held via telephone conference on October 14, 2025. Petitioner's daughter [REDACTED] [REDACTED] appeared and was unrepresented. The Michigan Department of Health and Human Services (MDHHS or Department) was represented by Tonya Henderson and Connie Taylor. Department Exhibit 1, pp. 1-30 was received and admitted.

ISSUE

Did the Department properly deny Petitioner's burial assistance State Emergency Relief (SER) application because the expense had already been paid?

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 August [REDACTED] 2025, Petitioner passed away.
2. On August [REDACTED] 2025, Petitioner's daughter [REDACTED] paid \$[REDACTED] to [REDACTED].
3. On August [REDACTED] 2025, Petitioner's representative applied for State Emergency Relief for burial services.
4. On August [REDACTED] 2025, a State Emergency Relief 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".
5. On August 29, 2025, Petitioner's representative requested a hearing disputing the denial of SER.

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.

State Emergency Relief (SER) assists with burial when the decedent's estate, mandatory copays, etc. are not sufficient to pay for: • Burial. • Cremation. • Costs associated with donation of a body to a medical school. • Cremation permit fee for an unclaimed body. • Mileage costs for an eligible cremation of an unclaimed body. ERM 306

Requirements

Residence in the state of Michigan is not required. SER serves all persons physically present in Michigan. In addition SER applicants must: • Complete the application process. • Meet financial and non-financial requirements. • Have an emergency which threatens health or safety and can be resolved through issuance of SER. ERM 101

Authorize and issue payment for all State Emergency Relief (SER) covered services using the DHS-849, Authorization/Invoice. Proof of emergency and need amount must be obtained before authorizing a payment. ERM 401

In this case, on August █ 2025, Petitioner passed away. On August █ 2025, Petitioner's daughter and representative █ paid \$█ to █. On August █ 2025, Petitioner's representative applied for State Emergency Relief for burial services. On August █ 2025, a State Emergency Relief 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".

Petitioner's representative paid for cremation services prior to applying for SER, therefore there was no emergency. In addition, policy does not allow for reimbursement of expenses already paid and only allows for direct payments to providers. Therefore, the denial of SER was proper and correct and consistent with Department policy. ERM 101 and 401.

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 expense had already been paid.

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.

25-033093

Via Electronic Mail:

Respondent
KALAMAZOO COUNTY DHHS
427 E ALCOTT ST
KALAMAZOO, MI 49001
**MDHHS-KALAMAZOO-
HEARINGS@MICHIGAN.GOV**

Via First Class Mail:

Petitioner

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

Authorized Hearing Rep

[REDACTED]
[REDACTED]
[REDACTED]