



Date Mailed: November 20, 2025

Docket No.: 25-035275

Case No.: [REDACTED]

Petitioner: [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.

Date Mailed: November 20, 2025

Docket No.: 25-035275

Case No.: [REDACTED]

Petitioner: [REDACTED]

HEARING DECISION

On September 16, 2025, Petitioner [REDACTED] requested a hearing to dispute a State Emergency Relief (SER) determination. As a result, a hearing was scheduled to be held on November 18, 2025. Public assistance hearings are held pursuant to MCL 400.9 and 400.37; 7 CFR 273.15 to 273.18; 42 CFR 431.200 to 431.250; 42 CFR 438.400 to 438.424; 45 CFR 99.1 to 99.33; 45 CFR 205.10; and Mich Admin Code, R 792.11002.

The parties appeared for the scheduled hearing. Petitioner appeared and represented herself. Respondent Michigan Department of Health and Human Services (Department) had Assistance Payments Supervisor Dannial Rogers appear as its representative. There were no other participants.

Both parties provided sworn testimony, and one exhibit was admitted into evidence. A 51-page packet of documents provided by the Department was admitted into evidence collectively as Exhibit A.

ISSUE

Did the Department properly determine Petitioner's State Emergency Relief (SER) 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 July [REDACTED] 2025, Petitioner applied for SER for non-heat electricity and propane for heat.
2. The Department determined that the amount required to resolve Petitioner's non-heat electricity emergency was \$[REDACTED] and the Department determined that the amount required to resolve Petitioner's heat emergency was \$[REDACTED]
3. The Department determined that Petitioner's remaining fiscal cap for heat was \$[REDACTED] because the Department paid \$[REDACTED] for Petitioner's heat on January 29, 2025.
4. On July [REDACTED] 2025, the Department issued a state emergency relief decision notice to notify Petitioner that she was approved for SER for non-heat electricity and

25-035275

propane for heat. The notice stated that the Department would pay \$[REDACTED] for Petitioner's electricity, and Petitioner had a \$0.00 copay that she had to pay to receive SER for her electricity. The notice stated that the Department would pay \$[REDACTED] for Petitioner's propane for heat, and Petitioner had a \$[REDACTED] copay that she had to pay to receive SER for her heat. The notice also stated that the Department would pay \$[REDACTED] for heat deposit/reconnect fees, and Petitioner had a \$0.00 copay that she had to pay to receive SER for her heat deposit/reconnect fees.

5. On August [REDACTED] 2025, the Department paid Great Lakes Energy Cooperative \$[REDACTED] for Petitioner's electricity.
6. On August [REDACTED] 2025, Petitioner applied for SER for non-heat electricity and propane for heat.
7. The Department requested emergency services funding to help pay Petitioner's copay for her SER for heat.
8. On August [REDACTED] 2025, the Department issued a state emergency relief decision notice to notify Petitioner that the Department was going to pay Petitioner's copay to receive SER for her heat. The notice stated that the Department would pay \$[REDACTED] for Petitioner's propane for heat, and Petitioner had a \$[REDACTED] copay that the Department was going to pay so she could receive SER for her heat. The notice also stated that the Department would pay \$[REDACTED] for heat deposit/reconnect fees, and Petitioner had a \$0.00 copay that she had to pay to receive SER for her heat deposit/reconnect fees.
9. On August [REDACTED] 2025, AmeriGas delivered 100 gallons of propane to Petitioner.
10. Petitioner owed AmeriGas a \$[REDACTED] past due balance, AmeriGas charged \$[REDACTED] for 100 gallons of propane, and AmeriGas charged fees totaling \$[REDACTED] (\$[REDACTED] for a hazmat fee and \$[REDACTED] for a fuel recovery fee). Thus, the total that Petitioner owed AmeriGas after AmeriGas delivered 100 gallons of propane on August [REDACTED] 2025, was \$[REDACTED].
11. On September [REDACTED] 2025, the Department paid AmeriGas \$[REDACTED] for fees and \$[REDACTED] for the Department's portion of the SER payment for Petitioner's heat.
12. On October [REDACTED] 2025, the Department paid AmeriGas \$[REDACTED] for Petitioner's portion of the SER payment for Petitioner's heat. This payment came from emergency services funding.
13. Petitioner requested a hearing to dispute the Department's SER determination.

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 pursuant to MCL 400.10 and Mich Admin Code, R 400.7001-.7049.

Petitioner is disputing the Department's \$[REDACTED] SER payment to Great Lakes Energy Cooperative for Petitioner's electric bill, and Petitioner is disputing the Department's \$[REDACTED] SER/emergency services payment to AmeriGas. The issue here is whether the Department properly determined Petitioner's SER benefit amount.

SER is available to assist a client with an electricity bill when the client's electricity is in past-due status, in threat of shutoff, or already shutoff. ERM 301 (May 1, 2025), p. 4. A client's request for SER to assist with an electricity bill should be processed using the past-due amount or shutoff amount, whichever is the most advantageous. *Id.* An authorized SER payment must resolve the emergency by restoring or continuing electricity service for at least 30 days. *Id.* Current bills that are not past due or subject to shutoff should not be included in the amount needed. *Id.* Late fees are not covered when the utility provider is regulated by the Michigan Public Service Commission (MPSC). *Id.* at 5-7.

Based on the evidence presented, the Department acted in accordance with ERM 301 when it determined that Petitioner was eligible for a \$[REDACTED] payment to Great Lakes Energy Cooperative for Petitioner's electric bill. Although this payment did not include Petitioner's entire balance due, the Department could not approve a payment for Petitioner's current balance due or the late fees. Thus, the Department properly excluded Petitioner's current electric bill and the late fees.

SER is also available to assist a client with a heat bill. SER is available to assist a client when the client's heat is in past-due status, in threat of shutoff, or already shutoff. *Id.* at 4. The Department may make a payment up to the fiscal year cap for the necessary charges to deliver a 30-day supply of fuel for households that heat with deliverable fuel (fuel oil, propane or coal). *Id.* For fuel oil and propane, the SER should be processed using a quote from the provider for a 30-day supply or minimum fill. *Id.* Fees that are necessary to prevent an emergency are not included in the fiscal cap, but they do have a dollar limit per occurrence. *Id.* at 5. The fiscal year cap for propane is \$800.00. *Id.* at 13. The cap per occurrence for necessary fees is \$200.00. *Id.*

Based on the evidence presented, the Department acted in accordance with ERM 301 when it determined that Petitioner was eligible for a \$[REDACTED] payment to AmeriGas for Petitioner's propane for heat, and the Department acted in accordance with ERM 301 when it determined that Petitioner was eligible for a \$[REDACTED] payment to AmeriGas for necessary fees. The Department could not approve more than \$[REDACTED] because that was the amount of Petitioner's \$800.00 fiscal year cap that was remaining after the Department paid \$[REDACTED] for Petitioner's heat on January [REDACTED] 2025. The Department's \$[REDACTED] SER payment for fees did not reduce the Department's SER payment towards Petitioner's propane for heat.

The Department used emergency services funding to pay Petitioner's portion of her heat bill. Emergency services funding is used to provide assistance when SER will not resolve the emergency. ERM 209 (June 1, 2024), p. 1. However, a client is not entitled to emergency services funding. *Id.* The Department has discretion to decide whether to issue emergency services funding when it is available. *Id.* In this case, the Department had emergency services funding available, and the Department decided to issue emergency services funding for Petitioner's heat bill. Petitioner does not have a right to a hearing to dispute the Department's use of emergency services funding.

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 its policies and the applicable law when it determined Petitioner's SER benefit amount.

IT IS ORDERED that the Department's decision is **AFFIRMED**.



JEFFREY KEMM
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 First Class-Electronic Mail:

Petitioner

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

Via Electronic Mail:

Respondent

LAKE COUNTY DHHS
5653 S M-37
BALDWIN, MI 49304
**MDHHS-LNO-
HEARINGS@MICHIGAN.GOV**