

Date Mailed: January 28, 2026

Docket No.: 25-048143

Case No.: [REDACTED]

Petitioner: [REDACTED]

ADMINISTRATIVE LAW JUDGE: Christian Gardocki

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; 42 CFR 438.400 to 438.424; 45 CFR 99.1 to 99.33; and 45 CFR 205.10; and Mich Admin Code, R 792.11002. After due notice, a telephone hearing was held via Microsoft Teams on January 20, 2026. Petitioner did not participate. [REDACTED] Petitioner's daughter, testified on behalf of Petitioner. The Michigan Department of Health and Human Services (MDHHS) was represented by Richkelle Curney, hearings facilitator.

ISSUE

The issue is whether MDHHS properly denied Petitioner's daughter's State Emergency Relief (SER) application for Petitioner's burial costs.

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 [REDACTED] 2025, Petitioner's daughter applied for SER seeking payment for Petitioner's burial.
2. On August 2, 2025, Petitioner's burial costs were paid in full through family contributions.
3. On August 4, 2025, MDHHS requested from Petitioner's daughter written verification by August 8, 2025, of Petitioner's burial costs.
4. On August 11, 2025, MDHHS denied Petitioner's daughter's SER application due to a failure to timely verify Petitioner's burial costs.
5. On August 15, 2025, MDHHS received verification of Petitioner's burial costs.
6. On August 15, 2025, Petitioner's daughter requested a hearing to dispute the denial of SER.

CONCLUSIONS OF LAW

The State Emergency Relief (SER) program is established by the Social Welfare Act, MCL 400.1 *et seq.* MDHHS administers the program pursuant to MCL 400.10 and Mich Admin Code, R 400.7000 to R 400.7049. SER policies are contained in the Emergency Services Manual (ERM).

Petitioner's daughter requested a hearing to dispute SER. Exhibit A, pp. 4-6. Petitioner's daughter applied for SER on ██████████ 2025, seeking payment for her mother's burial costs. Exhibit A, pp. 14-25. A State Emergency Relief Decision Notice dated August 11, 2025, stated that Petitioner's daughter's SER application was denied due to a failure to verify the burial costs. Exhibit A, pp. 28-29.

SER assists with burial when the decedent's estate, mandatory copays, etc. are not sufficient to pay for burial costs. ERM 306 (October 2024) p. 1. For SER- Burials, the case record must contain a statement of goods and services or the equivalent showing an itemization of all services provided, charges and payments made or expected. *Id.*, p. 10. It must be signed by an employee of the funeral home and the person making the SER application. *Id.*

For all SER applications, clients must be informed of all verifications that are required and where to return verifications. ERM 103 (October 2025) p. 6. MDHHS is to use the DHS-3503, SER Verification Checklist, to request verification and to notify the client of the due date for returning the verifications. *Id.*, p. 7 The due date is eight calendar days beginning with the date of verification request. *Id.* If the application is not processed on the application date, the deadline to return verification is eight calendar days from the date that verification is requested. *Id.* MDHHS is to deny the SER application if the group does not cooperate in meeting MDHHS's 10-day standard of promptness to process the application. *Id.*, p. 6.

MDHHS sent Petitioner's daughter a SER Verification Checklist requesting a statement or bill for Petitioner's burial costs. Exhibit A, p. 26. The SER Verification Checklist was dated August 1, 2025, and listed a due date of August 8, 2025. *Id.* It was not disputed that a funeral bill was not returned to MDHHS until August 15, 2025: the date of hearing request. MDHHS contended that the failure to timely return verifications justified denying SER.

Petitioner's daughter testified that MDHHS's request for verification was not postmarked until August 4, 2025. The testimony was corroborated by Petitioner's daughter's presented copy of the envelope that carried the verification request which was postmarked August 4, 2025. Exhibit A, p. 9. Petitioner's daughter also testified that she did not receive the request for verification until August 13, 2025, due to mail issues. Petitioner's daughter's hearing request stated that she immediately called MDHHS after receiving the verification request, waited for over an hour to speak with MDHHS staff,

and was told she'd soon be receiving something in the mail- presumably, the written notice of denial.

Consideration was given to finding that MDHHS failed to give proper notice of required SER verifications based on the postmark date of mailing. However, a second issue prevents a potential administrative hearing remedy.

The funeral bill received by MDHHS on August 15, 2025, listed a total cost of \$6,495. Exhibit A, p. 10. The bill also stated that the bill dated August 2, 2025, was "PAID IN FULL". *Id.* Petitioner's daughter testified that part of the bill was paid by her children and that they should be reimbursed for their contributions. However, the full payment resolved the emergency. SER assists only when the life estate, copayments, and such are insufficient to pay for the burial. In the present case, Petitioner's burial costs were paid shortly after Petitioner's daughter applied for SER. Thus, the emergency was resolved leaving no SER amount to be paid. Accordingly, MDHHS properly denied Petitioner's daughter's request for SER.

DECISION AND ORDER

The administrative law judge, based upon the above findings of fact and conclusions of law, finds that MDHHS properly denied Petitioner's daughter's SER application dated [REDACTED] 2025, for burial costs. The actions taken by MDHHS are **AFFIRMED**.



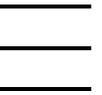
CHRISTIAN GARDOCKI
ADMINISTRATIVE LAW JUDGE

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.



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