

ISSUE

Did the Department properly determine Petitioner's eligibility for the State SSI Payments (SSP) program?

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 November 15, 2025, a Notice of State SSI Payment Change was issued to Petitioner stating her SSP payment has been cancelled because the Social Security Administration (SSA) notified the Department that she did not receive a regular first of the month Supplemental Security Income (SSI) payment for three months. It was noted that Petitioner must receive the regular first of the month SSI payment to be eligible for a state SSI Payment. (Exhibit A, pp. 3-4)
2. On November 15, 2025, Petitioner submitted a hearing request contesting the Department's determination. (Exhibit A, pp. 3-5)

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 SSI Payments (SSP) program is established by 20 CFR 416.2001-.2099 and the Social Security Act, 42 USC 1382e. The Department administers the program pursuant to MCL 400.10.

For the SSP program, payments are made for only those months the recipient received a regular first of the month federal benefit. These are shown on State Online Query (SOLQ) as a recurring payment dated the first of the month. SSPs are not issued for retroactive or supplemental federal benefits. BEM 660, October 1, 2021, p. 1. It is noted that the Department policy does not address when SSA issues a regular first of the month federal benefit early due to the first of the month falling on a weekend or holiday. These payments would not be retroactive or supplemental federal benefits.

SSP benefits are issued quarterly. These benefits are paid the last month of each quarter. The yearly quarters are: January through March; April through June; July through September; and October through December. BEM 660, October 1, 2021, p. 2.

In this case, on November 15, 2025, a Notice of State SSI Payment Change was issued to Petitioner stating her SSP payment has been cancelled because the Social Security Administration (SSA) notified the Department that she did not receive a regular first of the

month Supplemental Security Income (SSI) payment for three months. It was noted that Petitioner must receive the regular first of the month SSI payment to be eligible for a state SSI Payment. (Exhibit A, pp. 3-4).

Regarding the months prior to the November 15, 2025 Notice of State SSI Payment Change, the HF testified that the SOLQ did not show regular first of the month payments for September and October 2025. (HF Testimony).

Petitioner testified that she started receiving SSI benefits in June 2025 and has been receiving the regular first of the month federal benefit payments since. Petitioner provided a copy of her bank statement to show the federal benefit payments. The statement is consistent with Petitioner receiving a lump sum payment on June 27, 2025 and regular first of the month SSI payments for July 2025 through November 2025. There were two dates the federal benefit payment was made early due to the first of the month occurring on a weekend or holiday. Those payments were made on August 29, 2025 (September 1, 2025 was a Monday and was Labor Day) and October 31, 2025 (November 1, 2025 was a Saturday). (Exhibit A, p. 5).

Accordingly, it appears that the SOLQ report may not have reflected accurate SSI payment information when the November 15, 2025 Notice of State SSI Payment Change was issued. Further, it does not appear that the SOLQ report at that time showed three months without a regular first of the month SSI payment because Petitioner was first approved for SSI during the month of June 2025 and the HF testified that the SOLQ did not show regular first of the month payments for September and October 2025. Petitioner also received a **\$REDACTED** payment from the Department on September 9, 2025, which would indicate the SOLQ showed a regular first of the month SSI payment was received two months during that quarter. (Exhibit A, p. 5). Therefore, the determination to cancel Petitioner's SSP benefit payments because the SSA notified the Department that Petitioner did not receive a regular first of the month SSI payment for three months cannot be upheld.

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 failed to satisfy its burden of showing that it acted in accordance with Department policy when it determined Petitioner's eligibility for SSP benefits.

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

THE DEPARTMENT IS ORDERED TO BEGIN DOING THE FOLLOWING, IN ACCORDANCE WITH DEPARTMENT POLICY AND CONSISTENT WITH THIS HEARING DECISION, WITHIN 10 DAYS OF THE DATE OF MAILING OF THIS DECISION AND ORDER:

1. Redetermine Petitioner's eligibility for SSP benefits as of July 1, 2025 in accordance with Department policy. This may include requesting clarification from SSA of Petitioner's SSI benefit payments as well as clarification of BEM 660 policy in regards to when SSA issues a regular first of the month federal benefit early due to the first of the month falling on a weekend or holiday.