

**FINAL DECISION**

Sent via email [REDACTED] Certified Mail [REDACTED] and First-Class  
U.S. Mail

July 10, 2025

[REDACTED]

RE: Final Decision

Dear [REDACTED]

On May 9, 2025, the proposed decision of the hearing officer regarding the eligibility of [REDACTED] to receive services of the Department of Developmental Services was sent to you and all parties. Parties had ten (10) business days from receipt of the proposed decision to submit comments in support or opposition. Comments were not submitted by the petitioner. No comments were submitted on behalf of DDS.

After reviewing the proposed decision, the record, including exhibits submitted at the hearing, I agree with the hearing officer, adopt the Proposed Decision as the Final Decision, and find that [REDACTED] is ineligible for services of the Department of Developmental Services pursuant to Connecticut General Statute section 1-1g.

If you do not agree with this decision, you have the right, in accordance with Section 4-183 of the Connecticut General Statutes, to appeal to the Superior Court. Such an appeal must be submitted within forty-five (45) days of the mailing of this final decision.

  
Jordan A. Scheff  
Commissioner

Enclosures

cc: Attorney Frank Forgione, Esq., Hearing Officer  
Kathleen Murphy, Ph.D., Director, Eligibility Unit  
Margret Rudin, Ph.D., Psychologist Eligibility Unit  
Marjorie O. Wakeman, Esq., Director, Legal & Government Affairs

STATE OF CONNECTICUT  
DEPARTMENT OF DEVELOPMENTAL SERVICES  
PROPOSED MEMORANDUM OF DECISION

ELIGIBILITY

IN RE: [REDACTED]

MAY 9, 2025

Introduction:

A remote hearing via Microsoft Teams was held on May 7, 2025 to determine the eligibility of the Petitioner, [REDACTED] for services from the Department of Developmental Services (DDS) pursuant to Connecticut General Statutes Section 1-1g.

The following individuals were present at the hearing:

Dr. Margaret Rudin	DDS Psychologist/Director Eligibility Unit
[REDACTED]	Applicant
[REDACTED]	Mother
[REDACTED]	Father

The following exhibits were entered into evidence:

Hearing Officer 1	DDS Denial of Eligibility Letter 10/30/2024
Hearing Officer 2	Request for Hearing 11/14/2024
Hearing Officer 3	Request for Hearing Attachment dated 11/14/2024
Hearing Officer 4	Notice of Hearing 12/11/2024
DDS 1	DDS Eligibility Application 10/11/2024
DDS 2	DDS Denial Letter 10/30/2024
DDS 3	DDS Second Review by Dr. Margaret Rudin 10/29/2024
DDS 4	Psychological Report, [REDACTED] Public Schools 3/24/2011, 3/25/2011 & 3/28/2011
DDS 5	Psychological Summary, [REDACTED] [REDACTED] December 2011
DDS 6	[REDACTED] Report 12/6/2011
DDS 7	Psychological Report, [REDACTED] Public Schools 9/25/2015
DDS 8	Individual Education Program (IEP) 9/25/2015

Statement of the Issue:

Is [REDACTED] eligible for DDS services pursuant to Connecticut General Statutes Section 1-1g?

Findings of Fact:

1. [REDACTED] resides with his parents, [REDACTED], at [REDACTED] [REDACTED] Connecticut.
2. [REDACTED] date of birth is [REDACTED]
3. During the developmental period, many standardized tests were administered to [REDACTED]
4. In 2006, [REDACTED] obtained a full scale IQ score of 74 on the Wechsler Intelligence Scale for Children, Fourth Edition (WISC-IV).
5. In 2009, [REDACTED] obtained a full scale IQ score of 75 on the Wechsler Intelligence Scale for Children-IV (WISC-IV).
6. In 2011, [REDACTED] obtained a score of 74 for General Intelligence Ability on the Woodcock Johnson III-Tests of Cognitive Abilities, which is equivalent to a full scale IQ score of 74.
7. In 2011, [REDACTED] obtained a full scale IQ score of 71 on the Wechsler Intelligence Scale for Children-IV (WISC-IV) which test was administered by [REDACTED]
8. In 2015, [REDACTED] obtained a full scale IQ score of 74 on the Wechsler Adult Intelligence Scale -Fourth Edition (WAIS-IV).
9. The IEP Report dated 9/25/2015 does not report "intellectual disability" as the primary disability for [REDACTED], but rather sets forth his primary disability as "OHI-ADD/ADHD."

Definitions:

Connecticut General Statutes Section 1-1g defines eligibility for DDS services as those with:

[A] significant limitation in intellectual functioning and deficits in adaptive behavior that originated during the developmental period before eighteen years of age... 'significant limitation in intellectual functioning' means an intelligence quotient more than two standard deviations below the mean as measured by tests clinically and culturally appropriate to the individual; and 'adaptive behavior' means the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected for the individual's age and cultural group as measured by tests that are individualized, standardized and clinically and culturally appropriate to the individual.

An intelligence quotient more than two standard deviations below the mean, equates to an IQ score of 69 or lower. Christopher R v. Commissioner, 277 Conn. 594, 616 (2006).

The petitioner has the burden to prove that [REDACTED] meets the eligibility criteria for DDS services. Id.

Discussion:

In order to meet the qualifications for Intellectual Disability under CGS 1-1g, and receive services from DDS, the Petitioner must prove by a preponderance of the evidence that [REDACTED] experiences concurrent significant limitations in intellectual functioning and adaptive behavior that originated, that is, first occurred, during the developmental period. Such limitations must be measured by tests that are individualized, standardized, and culturally appropriate.

In 2006, 2009, 2011 and 2015, [REDACTED] obtained full scale IQ scores between 71 and 75, all of which are above the IQ threshold of 69.

The preponderance of the evidence does not demonstrate that [REDACTED] meets the standard of intellectual disability, as that term is defined by CGS 1-1g, and thus does not meet the eligibility criteria for DDS services.

Conclusion:

[REDACTED] is not eligible for DDS services as an individual with intellectual disability.



Francis J. Forgione

Hearing Officer