

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 28, 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 Wendy Mongillo, 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 HEARING

IN RE: [REDACTED]

May 19, 2025

**INTRODUCTION:**

On May 19, 2025, 2025 at 10:00 a.m. a hearing was held at the Department of Developmental Services, 460 Capitol Avenue in Hartford, Connecticut and remotely, via Microsoft Teams, to determine the eligibility of [REDACTED] for services from the Department of Developmental Services (DDS) pursuant to Connecticut General Statutes Section 1-1g. The request for hearing was filed on February 6, 2025 by [REDACTED] who is the parent and legal guardian of the Applicant.

**Name of Attendees:**

[REDACTED]	Applicant's Mother
[REDACTED]	Applicant
[REDACTED]	Applicant's transition teacher for [REDACTED] Public Schools
Margaret Rudin, PhD	DDS Psychologist Eligibility Unit

**Statement of Issues**

Is [REDACTED] eligible for services from the Department of Developmental Services?

**Exhibits Entered Into Evidence**

The following documents were presented by the parties and admitted into evidence as full exhibits by the undersigned hearing officer:

HO-1	Denial of Eligibility Dated 11/27/2024
HO-2	Request for Hearing Dated 2/6/2025
HO-3	Notice of Hearing Dated 2/24/2025
DDS-1	DDS Eligibility Application Dated 10/30/2024
DDS-2	Denial Letter 11/27/2024
DDS-3	ASD Approval Letter 11/27/2024
DDS-4	Second Review by Dr. Margaret Rudin, Ph.D. 11/26/2024
DDS-5	Psychological Evaluation Dated 11/5/2021
DDS-6	Psychological Evaluation Dated 3/28/2024
DDS-7	IEP Dated 3/28/2024
DDS-8	██████████ Dated 4/29/2024
P-1	Psychological Evaluation Dated 4/7/2025
P-2	IEP dated 12/04/2024 - 04/18/2025
P-3	Functioning Levels

**Finding of Facts:**

The exhibits entered into evidence, along with sworn testimony at the hearing result in the following findings:

1. ██████████ is a resident of the State of Connecticut as she resides in the Town/ City of ██████████ Connecticut
2. At the time of the hearing, ██████████ born ██████████ was ██████████ old.
3. The evaluations, test results and documents examined by Margaret Rudin, PhD, did not find the Applicant to be intellectually disabled within the Applicant's developmental period, as defined by Connecticut General Statutes Section 1-1g. The evaluations and testing performed on the Applicant did not demonstrate significant limitations in

intellectual functioning or that significant deficits in adaptive behaviors exist during the developmental period meeting the statutory criteria of Connecticut General Statutes Section 1-1g. (Testimony K Rudin, DDS Exhibits 1-8)

4. DDS Exhibit 5 Psychological Evaluation Dated 11/5/2021; “This report we see the results for the Wechsler Intelligence Scale for Children, Fifth Edition condition. This will be referred to as the WISC-V. The index scores are provided with verbal comprehension of 65, visual spatial 78, fluid reasoning 82, working memory 65, processing speed 86, with a full scale IQ of 70.....Onto the following page, we have the Adaptive Behavior Assessment System, Third Edition. Acronym ABAS-3 referred to as the ABAS-3. If we look at the General Adaptive Composite, which is the last line of the table, we have the home rating of 72 and we have the school rating of 81 which exceeds the criteria for CGS 1-1(g). ” (Testimony K. Rudin; DDS Exhibit 5)
5. DDS Exhibit 6 Psychological Evaluation Dated 11/5/2021; Said report sets forth results for the Applicants for the Wechsler Adult Intelligence Scale, fourth edition, also known as WAIS-IV. “The Adult intelligence Scale, full scale IQ is 72. All index scores exceed 70 with the index comprehension at 74, exceptional reasoning at 77, working memory at 71 and processing speed at 72. This is at 17 years three months of age”. (Testimony K. Rudin; DDS Exhibit 6).
6. DDS Exhibit 7 IEP Dated 3/28/2024, Said report articulates “the primary disability is listed as autism”. (Testimony K. Rudin, DDS Exhibits 7)
7. “The Applicant has been diagnosed with Autism and has been found eligible for Autism Program and has been put on the waiting list for services”. (Testimony K. Rudin DDS Exhibit 4)

**Definition of Intellectual Disability:**

According to Connecticut General Statutes Section 1-1g, in order to be eligible for supports or services from the Department of Developmental Services for an intellectual disability, an individual must demonstrate significant limitations in intellectual functioning and deficits in adaptive behavior that originated during the developmental period before eighteen years of age (emphasis added).

**Discussion:**

It is noted that transition teacher, [REDACTED], testified that the Applicant struggles with problem solving planning, and self-advocacy in all aspects of her day. However, while the Applicant may require assistance, guidance and support these results do not give a basis in the records to establish that she is intellectually disabled pursuant to Connecticut State Statutes. Unfortunately, the record does not demonstrate that her deficits in intellectual functioning or adaptive behaviors were significant enough to fall within the intellectually disabled range during her developmental period. As such the statutory requirements of the Connecticut General Statute Section 1-1g have not been satisfied in the present case.

**Conclusion:**

The Applicant is not eligible for services from the Department of Developmental Services based on intellectual disabilities, as she does not meet the criteria for services as defined in Connecticut General Statute Section 1-1g. The Applicant, however, may be eligible for services/benefits through other Federal and State agencies and programs.

This decision shall be submitted to all parties and the Commissioner. The parties may submit written comments in support or opposition to this proposed decision within ten days of receipt hereof.

Respectfully Submitted



Hearing Officer

Wendy Mongillo