

FINAL DECISION

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

July 10, 2025



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 HEARING

IN RE: [REDACTED]

March 31, 2025

INTRODUCTION:

On March 31, 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 November 25, 2024 by [REDACTED] who is the parent and legal guardian of the Applicant.

Name of Attendees:

[REDACTED]	Applicant's Father
[REDACTED]	Applicant's Mother
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 10/17/2024
HO-2	Second Review Dated 11/16/2024
HO-3	Request for Hearing Dated 11/25/2024
HO-4	Notice of Hearing Dated 12/5/2024
DDS-1	DDS Eligibility Application Dated 8/15/2024
DDS-2	DDS Denial Letter Dated 10/17/2024
DDS-3	Second Review by Dr. Margaret Rudin, Ph.D. dated 10/16/2024
DDS-4	Annual Assessment Summary dated 11/11/2019
DDS-5	Letter by Dr. [REDACTED] dated 09/30/2024
DDS-6	Individual Education Program (IEP) dated 01/25/2024

Finding of Facts:

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

1. The Applicant is a resident of the State of Connecticut as he resides in the Town/ City of [REDACTED] Connecticut
2. At the time of the hearing, the Applicant, born [REDACTED], was [REDACTED] years 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 on the Applicant were not sufficient to 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 4-6)
4. DDS Exhibit 1 Eligibility Application did not check on the form what the Applicant was applying for but did check that the Applicant has Autism. (Testimony K. Rudin; DDS Exhibit 1)

5. DDS Exhibit 4 Annual Assessment Summary was hard to read and was not sufficient to determine a diagnosis. (Testimony K. Rudin; DDS Exhibit 4)
6. DDS Exhibit 5 Letter by Dr. [REDACTED] Psychological Evaluation Dated 7/22/202; Said letter sets forth that "[REDACTED] is [REDACTED] year old Male with a diagnosis of Autism. He has been through the CT birth to Three program. He has never had formal IQ testing, and because of his severe social and language delays, assessment of cognitive abilities is limited." ... However, the requirements of DDS is to have measurements and there are still no real measurements for the Applicant. (Testimony K Rudin DDS Exhibit 6)

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:


While the Applicant may require assistance, guidance and support there is not enough testing or information supplied to DDS to establish that he is intellectually disabled pursuant to Connecticut State Statutes. 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. There has not been sufficient testing or evidence supplied at this time therefore, he does not meet the criteria for services as defined in Connecticut General Statute Section 1-1g. The Applicant, however, is still in his developmental period and has time to partake in testing and supply additional information in order to determine is eligibility in the future if the applicant were to reapply in the future.

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

A handwritten signature in blue ink, appearing to read "Wendy Mongillo", with a stylized flourish at the end.

Hearing Officer

Wendy Mongillo