

FINAL DECISION

Sent via email [REDACTED] Certified Mail [REDACTED]

September 4, 2025

[REDACTED]

RE: Final Decision

Dear [REDACTED]

On **July 16th**, 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.



Elisa F. Velardo
Deputy Commissioner
Designee of Jordan A. Scheff
Commissioner

Enclosures

cc: Attorney Wendy Mongillo, 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]

June 30, 2025

INTRODUCTION:

On June 30, 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 4, 2025 by [REDACTED] who is the parent and legal guardian of the Applicant.

Name of Attendees:

[REDACTED]	Applicant's Mother
[REDACTED]	Applicant
[REDACTED] MD	Applicant's Psychiatrist
[REDACTED]	Psychiatrist's Assistant
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	DDS Denial Letter Dated 1/29/2025
HO-2	Request for Hearing Dated 2/4/2025
HO-3	Notice of Hearing Dated 3/24/2025
DDS-1	DDS Eligibility Application Dated 1/8/2025
DDS-2	DDS Denial Letter Dated 1/29/2025
DDS-3	Second Review by Dr. Margaret Rudin, Ph.D. dated 1/28/2025
DDS-4	Psychoeducational Evaluation 11/28, 12/6, 12/7, 12/8/17
DDS-5	Academic Achievement Evaluation 1/8/2018
DDS-6	Psychological Evaluation 12/8/20,, 12/10/20, 1/4/2021
DDS-7	Psychiatry Letter 9/17/2024
DDS-8	IEP 11/01/2018
DDS-9	IEP 01/10/2019
DDS-10	IEP 10/03/2019
DDS-11	IEP 01/09/2020
P-1	Article in Press 11/15/2022
P-2	Letter from Principal Psychiatrist dated 6/26/2025

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 she resides in the Town/ City of [REDACTED] Connecticut
2. At the time of the hearing, the Applicant, born [REDACTED] was [REDACTED] years old.

3. That " [REDACTED] began receiving special education in the third grade under the primary disability of 'other health impaired' due to Velo Cardio Facial Syndrome also referred to with the acronym VCFS which affects her developmentally, impacting her learning behavior, attention, impulsivity and other social skills" (Testimony M. Rudin, Phd, DDS Exhibit 4)
4. That the applicant was administered the WISC 5 whereby she received results of verbal comprehension at 81, Visual/ Spatial at 64, fluid reasoning at 69; working memory at 100; processing speed at 69; and a full scale IQ of 70. (Testimony M. Rudin, Phd, DDS Exhibit 4)
5. That the applicant was also administered the Behavior Assessment Scale for Children BASC3. " The BASC3 teacher rating results were; adaptive skills of 35 which is a percentile rank of 8 which is not more than two standard deviations" (Testimony M. Rudin, Phd, DDS Exhibit 4)
6. That a psychological evaluation was given through the [REDACTED] Public Schools dated January 6, 2021 where they administered that Weschler Adult Intelligence Scale 4th Edition also known as the WAIS4. The verbal comprehension was 85, perceptual reasoning was 69, working memory was 80, processing speed was 59 and Full Scale IQ was 70. (Testimony M. Rudin, Phd, DDS Exhibit 6)
7. A letter submitted by [REDACTED] M.D. stated that the Applicant meets the criteria for autism, attention deficit hyperactivity disorder and major depression with psychotic features. (Testimony M. Rudin, Phd, DDS Exhibit 7)
8. That there have been significant variances in the scores and the academic achievement and the attendance of college during the developmental period. (Testimony M. Rudin, Phd, DDS Exhibits 4-11)
9. The Applicant was diagnosed with having ICD -10 F06 34 a mood disorder due to known physiological condition with mixed features. In addition she has DiGeorge Syndrome. The condition is genetically based. (Testimony D.L. Scott, M.D.)
10. The Applicant is currently receiving services under the Department of Mental Health, Abuse and Addiction Services. (Testimony D.L. Scott, M.D.)
11. 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. . (Testimony M. Rudin, Phd, DDS Exhibits 1-11)

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 no basis in the records to establish that she is intellectually disabled pursuant to CT State Statutes. Unfortunately, the record does not demonstrate that the Applicant's deficits in intellectual functioning or adaptive behaviors were significant enough to fall within the intellectually disabled range during the 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 not meet the criteria for services as defined in Connecticut General Statute Section 1-1g. The Applicant, however, may qualify for and is reportedly currently receiving services from the Department of Mental Health, Abuse and Addiction Services.

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