

**FINAL DECISION**

Sent via email [REDACTED] Certified Mail [REDACTED]

November 14, 2025

[REDACTED]

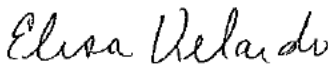
RE: Final Decision

Dear [REDACTED]

On **September 17<sup>th</sup>**, 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 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 and comments received, 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 Scheff  
Commissioner

Enclosures

cc: 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]

August 8, 2025

**INTRODUCTION:**

On April 11, 2025, 2025 at 10:00 a.m and August 8, 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 21, 2024 by [REDACTED] who is the the Applicant's Father and Conservator in this matter.

**Name of Attendees:**

Gerald Gore, Esq.

Counsel for DDS

[REDACTED]

Counsel for Applicant

[REDACTED]

Applicant's Father/ Conservator

[REDACTED]

Applicant's Mother/ Conservator

Dr. Kathleen Murphy

DDS Psychologist Eligibility Unit

[REDACTED]

Witness - Paraprofessional [REDACTED] Public School

[REDACTED]

Witness - Behavioral Analyst for the Internal Public School of [REDACTED]

Dr. [REDACTED]

Witness - Clinical Psychologist - [REDACTED]

[REDACTED]

Witness - Special Education Teacher

Witness - Special Education teacher and team leader for RISE transition program at [REDACTED] run by [REDACTED]

**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 marked for identification or admitted into evidence as full exhibits by the undersigned hearing officer :

\* Denotes marked for ID purposes only

HO-1	DDS Denial Letter Dated 10/02/2025
HO-2	Request for Appeal Hearing Dated 11/21/2024
HO-3	Attorney Appearance
HO-4	Notice of Hearing Dated 3/03/2025
HO-5	Witness List
HO-6	Notice of Hearing (Continuance) date 5/6/2025
DDS-1	DDS Eligibility Application Dated 3/28/2024
DDS-2	Denial Letter 10/2/2024
DDS-3	Second Review by Dr. Margaret Rudin, Ph.D. 10/02/2024
DDS-4	Neuropsychological Evaluation dated 12/17/2011
DDS-5	Psycho educational Evaluation dated 10/21/2014
DDS-6	Multidisciplinary Evaluation dated 11/26/2017
DDS-7	Consultation 2009
DDS-8	IEP 12.6.2018
DDS-9	IEP 1.3.2019
DDS-10	IEP 3.14.2019

DDS-11	IEP 5.23.2019
DDS-12	IEP 5.4.2020
DDS-13	IEP 10.5.2020
DDS-14	IEP 12.15.2020
DDS-15	IEP 4.30.2021
P-1	Conservatorship Decree
P-2	Dr. [REDACTED] Evaluation 2009
P-3	[REDACTED] 2011
P-4	[REDACTED] 2014
P-5	[REDACTED] 2017
P-6	Dr. [REDACTED] Evaluation 2021
P-7	Dr. [REDACTED] Evaluation 2021
P-8	Dr. [REDACTED] Report 2024
P-9	IEP 12-18
P-10	IEP 1-19
P-11	IEP 3-19
P-12	IEP 5-19
P-13	IEP 9-22
P-14	IEP 5-20
P-15	IEP 10-20
P-16	IEP 12-20
P-17	IEP 4-21
P-18	IEP 9-21
P-19	IEP 11-21
P-20	IEP 3-22
P-21	IEP 5-21

P-22	IEP 9-23
P-23	IEP 4-24
P-24	Connecticut IEP Manual *
P-25	CT Alternate Assessment Eligibility Form *
P-26	Sec. 300.160 Participation in assessment-Individuals with Disability Education Act*
P-27	Letter from [REDACTED] (Special Education Asst Superintendent) *
P-28	RISE Program Assessment 2023-2024
P-29	RISE Report 2022-2023
P-30	IEP 2-2010
P-31	2009 Evaluation [REDACTED]

### **Finding of Facts:**

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

1. [REDACTED] 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, [REDACTED] born [REDACTED] was [REDACTED] years of age.
3. The Applicant's parents applied for and became the Applicant's Court Appointed Conservators in 2021. (Testimony [REDACTED])
4. The Applicant's parents manage all of his personal needs and aid him in most if not all of his activities of daily living. ( Testimony [REDACTED])
5. The Applicant "participates in challenger baseball, which is a special needs baseball program... He participates in best buddies, the special olympics unified sports program and has a lunch group"... (Testimony [REDACTED])
6. At [REDACTED] High School the Applicant was a part of the EXCEL program which is there special education program. (Testimony [REDACTED])

7. The Applicant has been evaluated by Dr. [REDACTED] five (5) times since he was an [REDACTED] year old boy. Dr. [REDACTED] has consulted with his parents and with his school multiple times during that period (Testimony Dr. [REDACTED])
8. When Dr. [REDACTED] first evaluated the Applicant when he was [REDACTED] years old and in that evaluation the Applicant's overall IQ score was higher than 70. (Testimony Dr. [REDACTED] exhibit P2)
9. The Weschsler Adult Intelligence school test was administered to the Applicant 17 days prior to his [REDACTED] birthday and the Applicant scored a full scale IQ score of 72 (Testimony Dr. [REDACTED] Exhibit P-6)
10. The Applicant "is an incredibly charming and earnest young man that has a lot of really attractive personal characteristics". (Testimony Dr. [REDACTED])

**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 these results do not give a basis in the records to establish that he is intellectually disabled pursuant to Connecticut State Statutes. Unfortunately, the record does not demonstrate that his deficits in intellectual functioning or adaptive behaviors were significant enough to fall within the intellectually disabled range during his 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 he 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

A handwritten signature in blue ink, appearing to read "Wendy Mongillo", with a long, sweeping flourish extending upwards and to the right.

Hearing Officer

Wendy Mongillo