

FINAL DECISION

Sent via email [REDACTED] Certified Mail [REDACTED]

December 18, 2025

[REDACTED]

RE: Final Decision

Dear [REDACTED]:

On **November 3rd**, 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. No 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, 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: 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]

September 5, 2025

INTRODUCTION:

On September 5, 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 April 3, 2025 by [REDACTED] who is the Applicant.

Name of Attendees:

[REDACTED]	Applicant
[REDACTED]	Applicant's Mother
[REDACTED]	Applicant's MST Therapist
Dr. Kathleen Murphy, 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 Dated 3/3/2025
HO-2	Request for Hearing Dated 4/3/2025
HO-3	Notice of Hearing Dated 4/10/2025
DDS-1	DDS Eligibility Application Dated 9/4/2024
DDS-2	DDS Denial 3/3/25
DDS-3	Second Review by Dr. Margaret Rudin, Phd dated 2/27/2025
DDS-4	Psychological Evaluation dated 11/21/2017
DDS-5	Neuropsychological Evaluation dated 7/4/2018, 7/11/2018
DDS-6	Psychoeducational Evaluation 2020
DDS-7	IEP dated 11/14/2022
DDS-8	Psychological Evaluation dated 10/30/2023
DDS-9	IEP dated 10/31/2023
DDS-10	IEP dated 2/06/2024
P-1	Letter from [REDACTED] dated 4/1/2025
P-2	Letter from [REDACTED] dated 9/3/2025
P-3	Letter from [REDACTED] dated 9/3/2025

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 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 DDS 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 Murphy, DDS Exhibits 4-10)

4. That when the Applicant was in the sixth grade he received special education services based on educational category of emotional disturbance. (Testimony K. Murphy ; DDS Exhibit 4)
5. That the Applicant was given the Kaufman test of intelligence and received a fluid - crystallized index of 91. The fluid crystallized index is the Kaufman's version of a full scale IQ score. (Testimony K. Murphy; DDS Exhibit 4)
6. That there were speech and language evaluations done December 13, 2017. The Applicant's scores were in the average range compared to same-aged peers. Further testing was not completed due to the Applicant's refusal to participate. (Testimony K Murphy, DDS Exhibit 5)
7. That the Applicant participated in a triennial psychoeducational assessment in 2020 when he was [REDACTED] and [REDACTED] months of age. At that time the Applicant was still receiving special education based on the the educational category of emotional disturbance....The Wechsler Intelligence Scale for Children, fifth edition was also administered at that time, resulting in the the Applicant receiving a full scale IQ score of 71. (Testimony K Murphy, DDS Exhibit 6).
8. That [REDACTED] Public Schools completed a psychological evaluation in 2023 when the Applicant was [REDACTED] years of age. The Weschler Adult Intelligence Scale, fourth edition was conducted and the Applicants Full Sale IQ score was 63. However, under the summary of results the evaluator noted that "due to [REDACTED] difficulty sustaining attention and experiencing anxiety - the reader is encouraged to interpret this evaluation with caution." (Testimony K Murphy, DDS Exhibit 8).
9. That in all the testing that Dr. Murphy had looked at for the applicant up to [REDACTED] years of age, none of the evaluators felt that the scores were an accurate reflection of this young man's cognitive abilities. (Testimony K Murphy, DDS Exhibit 4-10).
10. That Dr. Murphy further stated that "This is a young man who seems to have a lot of potential when he is engaged. This is a young man who does not appear to be functioning in the intellectually disabled range cognitively. This is a young man who seems to have a lot of potential cognitively however, the behavioral issues get in the way." (Testimony K Murphy, DDS Exhibit 4-10).

11. That at the age of two, the Applicant had a traumatic brain injury resulting from a fall down the stairs while he was in foster care. The Applicant also had Reactive Attachment Disorder when he was taken from his first foster care place of residence after that fall. (Testimony [REDACTED]).
12. That [REDACTED] was born with NAS, Neonatal Abstinence Syndrome and from birth he has exhibit significant developmental behavioral and emotional difficulties and disabilities. (Testimony [REDACTED])
13. That the Applicant has been accepted for services through the Department of Mental Health and Addiction Services. (Testimony [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 there is not documentation in the records to establish that she is intellectually disabled pursuant to Connecticut State Statutes. There is not information provided to show that his deficits in intellectual function or adaptive behaviors were significant enough to fall within the intellectually disabled range during his developmental period. While he did have one IQ score of 63, other scores indicate a higher level of functioning. In addition, discussion of the results indicates a behavioral reason for the lower score. 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 and has in fact been reportedly accepted for services through the Department of Mental Health 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

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

Hearing Officer

Wendy Mongillo