

**FINAL DECISION**

Sent via email [REDACTED]

Certified Mail [REDACTED]

December 18, 2025

[REDACTED]

RE: Final Decision

Dear [REDACTED]:

On **November 3<sup>rd</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. 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 29, 2025

**INTRODUCTION:**

On September 29, 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 4, 2025 by [REDACTED] who is the Applicant's Father and Conservator.

**Name of Attendees:**

[REDACTED]	Applicant's Father/ Conservator
Dr. Margaret Rudin	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 Dated 3/18/2025
HO-2	Request for Hearing Dated 4/4/2025
HO-3	Request for Hearing Attachment 4/4/2025
HO-4	Notice of Hearing Dated 4/17/2025
DDS-1	DDS Eligibility Application Dated 7/8/2024
DDS-2	DDS Denial 3/18/2025
DDS-3	Second Review by Dr. Margaret Rudin, Phd dated 3/14/2025
DDS-4	Psychological Evaluation dated 9/25/2012
DDS-5	Psychoeducational Evaluation Report age [REDACTED] years [REDACTED] months
DDS-6	Educational Evaluation 11/16/2025
DDS-7	Psychological Evaluation 10/05.2018
DDS-8	IEP dated 9/21/2018
DDS-9	IEP dated 10/18/2019
DDS-10	IEP dated 10/05/2020
DDS-11	Behavioral Assessment System for Children Report dated 9/23/2021
P-1	[REDACTED] CHR record 4/11/2018
P-2	[REDACTED] CHR record 8/6/2018
P-3	Psychological Evaluation 10/1/2018 and 10/15/2018
P-4	Speech- Language Pathologist Statement Ms. [REDACTED] - [REDACTED] [REDACTED] 3/1/21, 3/8/21, 3/19/21
P-5	[REDACTED] Confidential File Review 5/30/2024
P-6	Summary of Performance - [REDACTED] 3/13/2025
P-7	Speech and Language Assessment by [REDACTED] M.d CCC-SLP 4/28/2025
P-8	[REDACTED] vocational counselor's statement 4/28/2025
P-9	[REDACTED] Teacher Ms. [REDACTED] statement 5/2/2025

- P-10 Social Worker Report from [REDACTED] LLC  
5/5/2025
- P-11 [REDACTED] Confidential Psychological Report 5/6/2025
- P-12 IEP dated 5/30/2024 - [REDACTED] School District
- P-13 IEP dated 3/13/2025 - [REDACTED] School District

**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 M Rudin, DDS Exhibits 4-11)
4. That the home language of the Applicant is [REDACTED] (Testimony [REDACTED])
5. That the results of a December 2009 evaluation at [REDACTED] years [REDACTED] months of age showed that a Universal Nonverbal Intelligence Test also known as the UNIT indicated that the Applicant had a memory quotient of 79, a reasoning quotient of 89, a symbolic quotient of 89 and a non symbolic quotient of 80 with a full scale score of 81. (Testimony M. Rudin, Exhibit 4)
6. That at the December 2009 Evaluation a WISC-4 was administered but they did not do a full scale IQ because the testers felt as though it would be unreliable (Testimony M. Rudin, Exhibit 4)
7. At age [REDACTED] years [REDACTED] months a WISC-5 was administered whereby the Applicant scored a full scale IQ of 85. At that time the Applicant was performing largely within the average

range to low average range across cognitive assessments with average verbal abilities and working memory abilities. (Testimony M. Rudin, Exhibit 5)

8. That on October 2018 a psychological evaluation was conducted, at that time records indicate unspecified psychiatric disorder through schizotypal disorder and impulse control and depressive symptoms were also mentioned. A WISC-5 was also conducted where the Applicant scored a full scale IQ score of 67. (Testimony M. Rudin, Exhibit 7)
9. That at the time of the October 2018 testing the Applicant "had been discharged from the hospital. Had been recommended for a day treatment program which he did not participate in. His medications were being adjusted... they were trying to find a medication for him that was effective with limited side effects. (Testimony M. Rudin, Exhibit 7)
10. That an IEP plan at age [REDACTED] indicated that the Applicant's activities of daily living were age appropriate...that he has a history of ADD, ADHD, and then was diagnosed with unspecified disruptive impulse control. At that time his current diagnosis was unspecified schizophrenia spectrum and other psychotic disorder. (Testimony M. Rudin, Exhibit 8)
11. That the full scale IQ score of 67 occurred during a time of a recent diagnosis of psychotic disorder. It is noted in the school records that also his decline in functioning may have been related to his diagnosis and medication. (Testimony M. Rudin, Exhibit 10)

#### **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 her deficits in intellectual function or adaptive behaviors were significant enough to fall within the

intellectually disabled range during her developmental period. While he did have an IQ score of 67, other scores indicate a higher level of functioning and discussion of the results indicated 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.

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