

**FINAL DECISION**

Sent via email [REDACTED]

Certified Mail [REDACTED]

December 18, 2025

[REDACTED]

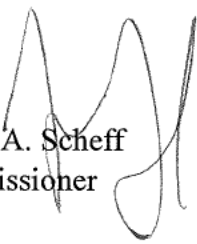
RE: Final Decision

Dear [REDACTED]

On **October 22<sup>nd</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.

  
Jordan A. Scheff  
Commissioner

Enclosures

cc: 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]

OCTOBER 22, 2025

**Introduction:**

A remote hearing via Microsoft Teams was held on October 15, 2025 to determine the eligibility of the Petitioner, [REDACTED] for services from the Department of Developmental Services (DDS) pursuant to Connecticut General Statutes, Section 1-1g.

The following individuals were present at the hearing held on June 18, 2025:

[REDACTED]	Mother of [REDACTED]
[REDACTED]	Case manager at [REDACTED] School
Dr. Margaret Rudin	Psychologist for the Department of Developmental Services

The following exhibits were entered into evidence:

HO-1	DDS Denial Letter 3/25/2025
HO-2	Request for Hearing 4/10/2025
HO-3	Notice of Hearing 4/22/2025
DDS-1	DDS Eligibility Application 12/24/2024
DDS-2	DDS Denial Letter 3/25/2025
DDS-3	DDS Second Review 3/24/2025, Dr. Margaret Rudin
DDS-4	Triennial Evaluation dated 5/20/2022
DDS-5	Psychological Evaluation 11/20/2024
DDS 6	Individual Education Plan (IEP) 5/21/2024

**Statement of the Issue:**

Is [REDACTED] eligible for DDS services pursuant to Connecticut  
General Statutes, Section 1-1g?

**Findings of Fact:**

1. [REDACTED] resides at [REDACTED] CT.
2. [REDACTED] date of birth is [REDACTED]

3. [REDACTED] is the mother of [REDACTED].
4. [REDACTED] is a Case manager at [REDACTED] School.
5. Dr. Margaret Rudin is a psychologist for the Department of Developmental Services.
6. Three full scale IQ scores have been submitted for [REDACTED]
7. In the May 24, 2022 Triennial Evaluation, the school psychologist, [REDACTED], reports that in 2019 when [REDACTED] was attending elementary school in [REDACTED], his cognitive functioning was assessed and he had a full scale IQ of 73 as measured by the Wechsler Intelligence Scale for Children, 5<sup>th</sup> Edition (WISC-V). See, DDS-4, p.1.
8. The Wechsler Intelligence Scale for Children, 5<sup>th</sup> Edition (WISC-V) was administered in May, 2022 as part of [REDACTED] Triennial Evaluation and he attained a full scale IQ score of 70. See, DDS-4.
9. As part of the Psychological Evaluation administered in November, 2024, [REDACTED] full scale IQ score as measured by the Wechsler Adult Intelligence Scale, 4<sup>th</sup> Edition (WAIS-IV), was 71. See, DDS-5.

Definitions:

Pursuant to section 1-1g of the Connecticut General Statutes, in order to be eligible for supports or services from the Department of Developmental Services due to an intellectual disability, an individual must demonstrate a significant limitation in intellectual functioning and deficits in adaptive behavior that originated during the developmental period, i.e., before the age of 18. Section 1-1g provides:

- (a) Except as otherwise provided by statute, 'intellectual disability' means a significant limitation in intellectual functioning existing concurrently with deficits in adaptive behavior that originated during the developmental period before eighteen years of age.
- (b) As used in subsection (a) of this section, 'significant limitation in intellectual functioning' means an intelligence quotient more than two standard deviations below the mean as measured by tests of general intellectual functioning that are individualized, standardized and clinically and culturally appropriate to the individual; and 'adaptive behavior' means the effectiveness or degree with which an individual meets the standards of personal independence and social

responsibility expected for the individual's age and cultural group as measured by tests that are individualized, standardized and clinically and culturally appropriate to the individual.

An intelligence quotient of more than two standard deviations below the mean equates to an IQ score of 69 or lower. Christopher R. v. Commissioner, 277 Conn. 594 (2006).

The petitioner has the burden to prove that he meets the eligibility criteria for DDS services. Id.


Discussion:

In order to meet the qualifications for intellectual disability under CGS 1-1g and receive services from DDS, [REDACTED] must prove by a preponderance of the evidence that he experiences concurrent significant limitations in intellectual functioning and adaptive behavior that originated, that is, first occurred, during the developmental period. Such limitations must be measured by tests that are individualized, standardized and clinically and culturally appropriate.

The full-scale IQ test scores submitted by [REDACTED] were 70, 71 and 73, all of which are above the IQ threshold of 69. In order to establish the existence of an intellectual disability, a significant limitation in intellectual functioning must exist concurrently with a deficit in adaptive behavior that originated before the age of 18. Since all of [REDACTED] full-scale IQ scores exceeded 69, the preponderance of the evidence does not demonstrate that [REDACTED] meets the standard of intellectual disability, as that term is defined by CGS 1-1g, and thus does not meet the eligibility criteria for DDS services.

Conclusion:

[REDACTED] is not eligible for DDS services as an individual with intellectual disability.

  
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Francis J. Forgione  
Hearing Officer