

STATE OF CONNECTICUT  
DEPARTMENT OF SOCIAL SERVICES  
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS  
55 FARMINGTON AVENUE  
HARTFORD, CT 06105

██████████ 2020  
Signature confirmation

Case: ██████████  
Client: ██████████  
Request: 156386

**NOTICE OF DECISION**

**PARTY**

██████████  
██████████  
██████████

**PROCEDURAL BACKGROUND**

On ██████████, 2020, the Department of Social Services (the "Department") issued ██████████ (the "Appellant") a *Notice of Action*, granting her expedited Supplemental Nutrition Assistance Program ("SNAP") benefits through ██████████, 2020.

On ██████████ 2020, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") received the Appellant's online hearing request. The Appellant disagreed with her SNAP benefits terminating effective ██████████, 2020.

On ██████████ 2020, the OLCRAH issued a notice scheduling the administrative hearing for ██████████ 2020.

On ██████████ 2020, in accordance with sections 17b-60, 17b-61 and 4-176e to 4-189, inclusive, of the Connecticut General Statutes, the OLCRAH held an administrative hearing by telephone conferencing. The following individuals participated:

██████████, Appellant  
Ferris Clare, Department's representative  
Eva Tar, Hearing Officer

The administrative hearing record closed ██████████ 2020.

### **STATEMENT OF ISSUE**

The issue is whether federal regulations governing the SNAP support the Department's termination of the Appellant's expedited SNAP benefits effective [REDACTED] 2020.

### **FINDINGS OF FACT**

1. On [REDACTED], 2020, the Department received the Appellant's SNAP application. (Department representative testimony)
2. On [REDACTED] 2020, the Department granted the Appellant expedited SNAP benefits for the period from [REDACTED], 2020 through [REDACTED] 2020. (Exhibit 1)
3. On [REDACTED], 2020, the Department notified the Appellant in writing that it required the Appellant to submit proof by [REDACTED], 2020 of the Appellant's last day of work (or her current wages) from two employers as well as information as to the status of a lawsuit or her SNAP benefits would not continue beyond [REDACTED] 2020. (Exhibits 1 and 4)
4. As of [REDACTED] 2020, the Appellant had not submitted the requested documents to the Department. (Appellant testimony)
5. Title 7, Code of Federal Regulations ("C.F.R.") 273.15 (c) provides that within 60 days of receipt of a request for a SNAP fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and local agency are notified of the decision. As the OLCRAH received the Appellant's online hearing request [REDACTED], 2020, this final decision was not due until [REDACTED] 2020. This decision is timely.

### **CONCLUSIONS OF LAW**

1. Section 17b-2 of the Connecticut General Statutes in part designates the Department as the state agency for the administration of the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.
2. Title 7, Code of Federal Regulations ("C.F.R.") section 273.2 (i)(1) identifies households that are entitled to expedited service.

Title 7, Code of Federal Regulations section 273.2 (i)(4)(iii)(A) provides:

For households applying on or before the 15th of the month, the State agency may assign a one-month certification period or assign a normal certification period ... If a one-month certification period is assigned, the notice of eligibility may be combined with the notice of expiration or a separate notice may be sent. The notice of eligibility must explain that the household has to satisfy all verification requirements that were postponed. For subsequent months, the household must reapply and satisfy all verification requirements which were postponed or be certified under normal processing standards. If the household does not satisfy the postponed verification requirements and does not appear for the interview, the State agency does not need to contact the household again.

7 C.F.R. § 273.2 (i)(4)(iii)(A).

**The Department correctly assigned the Appellant a one-month certification period as a household applying for expedited SNAP benefits on or before the 15<sup>th</sup> of the month.**

3. "The State agency shall provide each household at the time of application for certification and recertification with a notice that informs the household of the verification requirements the household must meet as part of the application process...." 7 C.F.R. § 272.2 (c)(5).

"The State agency shall verify, prior to certification of the household, all other factors of eligibility which the State agency determines are questionable and affect the household's eligibility and benefit level...." 7 C.F.R. § 272.2 (f)(2)(i).

**The Department correctly determined that the Appellant failed to verify her loss of employment—or wages, if her employment had continued—and the status of her lawsuit by [REDACTED] 2020, the final day of her one-month certification period.**

**Federal regulations governing the SNAP support the Department's [REDACTED] 2020 termination of the Appellant's expedited SNAP benefits effective [REDACTED], 2020.**

### **DECISION**

The Appellant's appeal is DENIED.

*Eva Tar-electronic signature*  
Eva Tar  
Hearing Officer

Pc: Ferris Clare, DSS-New Haven  
Rachel Anderson, DSS-New Haven  
Cheryl Stuart, DSS-New Haven  
Lisa Wells, DSS-New Haven

### **RIGHT TO REQUEST RECONSIDERATION**

The Appellant has the right to file a written reconsideration request within 15 days of the mailing date of the decision on the grounds there was an error of fact or law, new evidence has been discovered or other good cause exists. If the request for reconsideration is granted, the Appellant will be notified within 25 days of the request date. No response within 25 days means that the request for reconsideration has been denied. The right to request a reconsideration is based on § 4-181a (a) of the Connecticut General Statutes.

Reconsideration requests should include specific grounds for the request: for example, indicate what error of fact or law, what new evidence, or what other good cause exists.

Reconsideration requests should be sent to: Department of Social Services, Director, Office of Legal Counsel, Regulations, and Administrative Hearings, 55 Farmington Avenue, Hartford, CT 06105.

### **RIGHT TO APPEAL**

The Appellant has the right to appeal this decision to Superior Court within 45 days of the mailing of this decision, or 45 days after the agency denies a petition for reconsideration of this decision, provided that the petition for reconsideration was filed timely with the Department. The right to appeal is based on § 4-183 of the Connecticut General Statutes. To appeal, a petition must be filed at Superior Court. A copy of the petition must be served upon the Office of the Attorney General, 55 Elm Street, Hartford, CT 06106 or the Commissioner of the Department of Social Services, 55 Farmington Avenue, Hartford, CT 06105. A copy of the petition must also be served on all parties to the hearing.

The 45-day appeal period may be extended in certain instances if there is good cause. The extension request must be filed with the Commissioner of the Department of Social Services in writing no later than 90 days from the mailing of the decision. Good cause circumstances are evaluated by the Commissioner or his designee in accordance with § 17b-61 of the Connecticut General Statutes. The Agency's decision to grant an extension is final and is not subject to review or appeal.

The appeal should be filed with the clerk of the Superior Court in the Judicial District of New Britain or the Judicial District in which the Appellant resides.