

STATE OF CONNECTICUT  
DEPARTMENT OF SOCIAL SERVICES  
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS  
55 FARMINGTON AVENUE  
HARTFORD, CT 06105-3725

██████████ 2021  
Signature Confirmation

Case ID # ██████████  
Client ID # ██████████  
Request # 179968

NOTICE OF DECISION

PARTY

██████████  
██████████  
██████████

PROCEDURAL BACKGROUND

On ██████████ 2021, the Department of Social Services (the “Department”) issued a notice of action to ██████████ (the “Appellant”) denying the Appellant’s Supplemental Nutrition Assistance Program (“SNAP”) application due to not completing the interview process.

On ██████████ 2021, the Appellant requested an administrative hearing to contest the Department’s decision to deny such benefits.

On ██████████ 2021, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a notice scheduling the administrative hearing for ██████████ 2021.

On ██████████ 2021, in accordance with sections 17b-60, 17b-61, and 4-176e to 4-184, inclusive, of the Connecticut General Statutes, OLCRAH held an administrative hearing.

The following individuals participated in the hearing:

██████████ Appellant  
Debra James, Department’s Representative  
Christopher Turner, Hearing Officer

The Hearing record was left open two weeks for the submission of the Appellant's phone records. On [REDACTED] 2021, the record closed without receipt of the Appellant's phone records.

### **STATEMENT OF THE ISSUE**

The issue is whether the Department was correct when it denied the Appellant's SNAP application for failure to complete the interview process.

### **FINDINGS OF FACT**

1. On [REDACTED] 2021, the Department received an online SNAP application from the Appellant. The Appellant alone comprises the assistance unit. A Department representative twice called the Appellant to complete a telephone interview without success. (Exhibit 1: Online application; Exhibit 7: Case notes; Hearing summary)
2. On [REDACTED] 2021, the Department sent the Appellant an interview notice ("W-3015N"). The notice indicated the Appellant must complete a telephone interview by [REDACTED] 2021, to avoid denial of her SNAP assistance on [REDACTED] 2021. (Exhibit 4: W-3015N; Hearing summary)
3. On [REDACTED] 2021, the Department issued the Appellant a Proofs We Need form ("W-1348") requesting proof of her babysitting income. A [REDACTED], 2021, due date was given. (Exhibit 3: W-1348)
4. On [REDACTED] 2021, the Appellant did not call the Department to complete her telephone interview. (Exhibit 7, Record)
5. On [REDACTED] 2021, the Department sent the Appellant a Notice Of Missed Interview ("W-0108N"). The notice indicated the Appellant's application would be denied if an interview is not completed and requested proofs received by [REDACTED] 2021. (Exhibit 4)
6. On [REDACTED] 2021, the Department received a pay stub and an employer statement from the Appellant. (Exhibit 6: Document search)
7. On [REDACTED] 2021, the Department sent the Appellant a notice denying her SNAP application for failure to complete the telephone interview requirement. (Exhibit 5: Notice)
8. There is no evidence in the case record to support the Appellant's contention that she completed a telephone interview with a department representative before [REDACTED] 2021. (Exhibit 6; Hearing summary)
9. As of the hearing date, the Appellant has not completed a telephone interview with a Department representative. (Record; Department's testimony)

10. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.15 (c) (1) which provides that within 60 days of receipt of a request for a fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and the local agency is notified of the decision. The Appellant requested an administrative hearing on [REDACTED] 2021, with the decision due [REDACTED] 2021. However, due to a two-week extension granted the Appellant to submit telephone records, this decision is due no later than [REDACTED] 2021. (Hearing Record)

### **CONCLUSIONS OF LAW**

1. Section 17b-2 of the Connecticut General Statutes designates the Department of Social Services as the state agency for the administration of (7) the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.

**The Department has the authority to review the Appellant's SNAP application for certification and determine whether her household meets the program's eligibility requirements.**

2. 7 C.F.R. § 273.2 (c) (5) provides that 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. The notice shall also inform the household of the State agency's responsibility to assist the household in obtaining required verification provided the household is cooperating with the State agency as specified in (d)(1) of this section. The notice shall be written in clear and simple language and shall meet the bilingual requirements designated in §272.4(b) of this chapter. At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period the documents should cover.

**The Department properly informed the Appellant on [REDACTED] 2021, of the needed proofs and the actions needed to be completed before an eligibility determination could be made.**

3. 7 C.F.R. § 273.2(e) (2) provides the State agency may use a telephone a telephone interview instead of the face-to-face interview required in paragraph (e)(1) of this section for all applicant households, for specified categories of households, or on a case-by-case basis because of household hardship situations as determined by the State agency. The hardship conditions must include, but are not limited to, illness, transportation difficulties, care of a household member, hardships due to residency in a rural area, prolonged severe weather, or work or training hours that prevent the household from participating in an in-office interview. If a State agency has not already provided that a telephone interview will be used for a household and that household meets the State agency's hardship criteria and requests to not have an in-office interview, the State agency must offer to the household to conduct the interview by telephone. The State agency may provide a home-based interview only if a household meets the hardship criteria and requests one. A State agency that chooses to routinely interview households by telephone in lieu of the face-to-face interview must specify this choice in its State plan of operation and describe the types of households that will be routinely offered a telephone interview in lieu of a face-to-face interview. The State agency must grant a face-to-face interview to any household that requests one.

**The Department afforded the Appellant a telephone interview option.**

4. 7 C.F.R. § 273.2 (e) (3) provides the State agency must schedule an interview for all applicant households who are not interviewed on the day they submit their applications. To the extent practicable, the State agency must schedule the interview to accommodate the needs of groups with special circumstances, including working households who are not interviewed on the day they submit their applications. To the extent practicable, the State agency must schedule the interview to accommodate the needs of groups with special circumstances, including working households. The State agency must schedule all interviews as promptly as possible to ensure eligible households receive an opportunity to participate within 30 days after the application is filed. The State agency must notify each household that misses its interview appointment that it missed the scheduled interview and that the household is responsible for rescheduling a missed interview. If the household contacts the State agency within the 30-day application processing period, the State agency must schedule a second interview. The State agency may not deny a household's application prior to the 30th day after application if the household fails to appear for the first scheduled interview. If the household requests a second interview during the 30-day application processing period and is determined eligible, the State agency must issue prorated benefits from the date of application.


**The Department correctly sent the Appellant a notice of telephone interview for [REDACTED] 2021, as the Department was unable to reach the Appellant by telephone to complete an interview the day her SNAP application was received on [REDACTED] 2021.**

**The Department properly sent the Appellant a notice of missed interview on [REDACTED] 2021, when the Appellant failed to contact the Department to complete her scheduled SNAP telephone interview.**

**The Department was correct to deny the Appellant's SNAP application on [REDACTED] 2021, as the Appellant had not completed the mandatory telephone interview requirement. No further action by the Department is necessary.**

#### **DECISION**

The Appellant's appeal is denied.

  
Christopher Turner  
Hearing Officer

Cc: Rachel Anderson, Operations Manager New Haven  
Cheryl Stuart, Operations Manager New Haven  
Lisa Wells, Operations Manager New Haven  
Debra James, 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, law, and 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 the Department of Social Services, Director, Office of Legal Counsel, Regulations, and Administrative Hearings, 55 Farmington Avenue, Hartford, CT 06105-3725.

### **RIGHT TO APPEAL**

The appellant has the right to appeal this decision to the 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 if 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, 165 Capitol Avenue, Hartford, CT 06106, or the Commissioner of the Department of Social Services, 55 Farmington Avenue, Hartford, CT 06105-3725. 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 her 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.