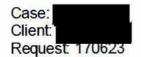
# STATE OF CONNECTICUT DEPARTMENT OF SOCIAL SERVICES OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS 55 FARMINGTON AVENUE HARTFORD, CT 06105

2021 Signature confirmation



# NOTICE OF DECISION

### PARTY



Eva Tar, Hearing Officer

### PROCEDURAL BACKGROUND

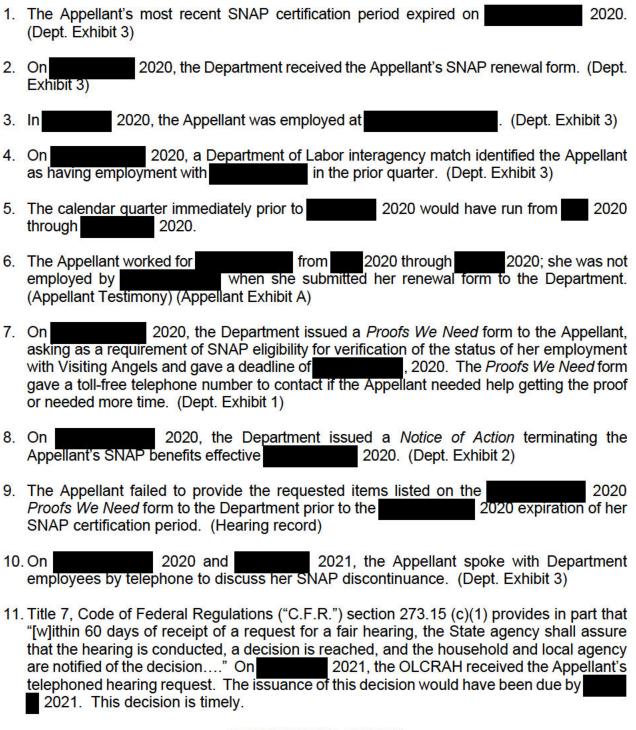
27, 2020, the Department of Social Services (the "Department") issued On (the "Appellant") a Notice of Action terminating her Supplemental Nutrition Assistance Program ("SNAP") benefits effective 2020. On 2021, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OCRAH") received the Appellant's telephoned hearing request. 2021, the OLCRAH scheduled an administrative hearing for 2021. On 2021, 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. The following individuals attended the hearing: , Appellant Ferris Clare, Department's Representative

The administrative hearing record closed 2021.

### STATEMENT OF ISSUE

The issue is whether the Department's discontinuance of the Appellant's SNAP benefits effective 2020 was in accordance with federal regulations.

### FINDINGS OF FACT



### CONCLUSIONS OF LAW

 Section 17b-2 of the Connecticut General Statutes designates the Department of Social Services 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.") § 273.14 (a) provides: "No household may participate beyond the expiration of the certification period assigned in accordance with § 273.10(f) without a determination of eligibility for a new period." "Households must apply for recertification and comply with interview and verification requirements."

"The recertification process can only be used for those households which apply for recertification prior to the end of their current certification period, except for delayed applications as specified in paragraph (e)(3) of this section....." 7 C.F.R. § 273.14 (b)(2).

The Appellant correctly submitted a renewal form with the Department prior to the final day of her certification period, 2020.

3. "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. The State agency shall establish guidelines to be followed in determining what shall be considered questionable information...." 7 C.F.R. § 273.2 (f)(2)(i).

"Case files must be documented to support eligibility, ineligibility, and benefit level determinations. Documentation shall be in sufficient detail to permit a reviewer to determine the reasonableness and accuracy of the determination." 7 C.F.R. § 273.2 (f)(6).

"Gross nonexempt income shall be verified for all households prior to certification...." 7 C.F.R. § 273.2 (f)(1)(i).

As a condition of SNAP eligibility, federal regulations governing the SNAP required the Appellant to verify her gross monthly income from all sources.

4. "The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information." "The State agency must accept any reasonable documentary evidence provided by the household and must be primarily concerned with how adequately the verification proves the statements on the application...." 7 C.F.R. § 273.2 (f)(5)(i).

"Information provided by the household shall be verified in accordance with § 273.2 (f)(8)(i). The State agency shall provide the household a notice of required verification as provided in § 273.2 (c)(5) and notify the household of the date by which the verification requirements must be satisfied. The household must be allowed a minimum of 10 days to provide required verification information...." 7 C.F.R. § 273.14 (b)(4).

The Department's 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employment with 2020 request for the Appellant to verify the status of her employed by that company—was reasonable, based on the non-current information provided in the Department of Labor's interagency match.

The Department correctly provided the Appellant with at least 10 days to submit the requested documentation regarding the status of her the status of the st

The Appellant did n	ot meet her responsibility to	verify her	last day of	employment
with	to the Department prior to		2020, th	e final day of
the expiration of her	SNAP certification period.			

The Department's discontinuance of the Appellant's SNAP benefits effective 2020 was in accordance with the federal regulations, as she had not submitted all requested verifications to the Department necessary to establish her SNAP eligibility by 2020, the final day of her SNAP certification period.

## **DECISION**

The Appellant's appeal is DENIED.

<u>Eva Tar-electro</u>nic 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 <u>specific</u> grounds for the request: for example, indicate <u>what</u> error of fact or law, <u>what</u> new evidence, or <u>what</u> other good cause exists.

Reconsideration requests should be sent to: Department of Social Services, Director, Office of Administrative Hearings and Appeals, 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, 165 Capitol Avenue, 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 the Commissioner's 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.