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

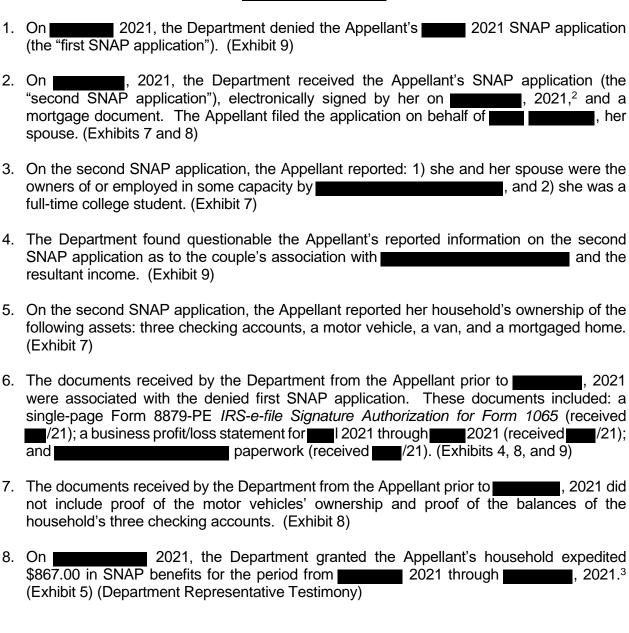
	, 2021
	Signature confirmation
Case:	
Client: Request: 182082	
NOTICE OF DECISION	
PARTY	
PROCEDURAL BACKGROUND	
On, 2021, the Department of Social Services (the "Department") received Chelsea Flannigan's (the "Appellant") on-line application for Supplemental Nutrition Assistance Program ("SNAP") electronically signed by her on 2021. The Appellant filed the application on behalf of her spouse,, as his authorized representative.	
On 2021, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") received the Appellant's 2021 online hearing request.	
On 2021, the OLCRAH issued a notice scheduling , 2021.	the administrative hearing for
On, 2021, in accordance with sections 17b-60, inclusive, of the Connecticut General Statutes, and Section 27 of Federal Regulations ("C.F.R."), the OLCRAH held an adminition individuals attended the hearing:	3.15 (a) of Title 7 of the Code
, Appellant Carolyn Jones, Department Representative Eva Tar, Hearing Officer	
The record closed 2021.	

¹ 2021 fell on a Saturday. The regular business hours of the Department's field offices are Monday, Tuesday, Thursday, and Friday, from 8:00 a.m. to 4:30 p.m. (https://portal.ct.gov/dss)

STATEMENT OF ISSUE

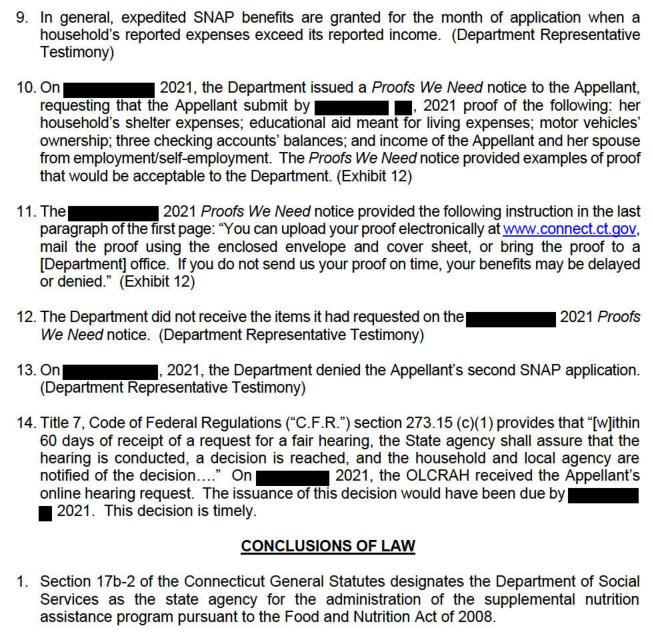
The issue is whether the Department correctly denied the Appellant's ______, 2021 SNAP application.

FINDINGS OF FACT



^{, 2021} fell on a Sunday.

³ It is unclear as to how the Department had arrived at an August <u>3</u>, 2021 start-date of expedited SNAP benefits, given an <u>state of expedited SNAP</u> application date. See 7 C.F.R. § 273.2 (i)(4)(iii)(C) regarding SNAP applications received after the 15th of the month as to pro-rating expedited SNAP benefits based on the date of application.



The Department has the authority under state statute to administer the SNAP in Connecticut.

2. Title 7, Code of Federal Regulations ("C.F.R."), Section 273.2 (c)(1)(iv) provides for the recording of the filing date of a SNAP application and provides: "The date of application is the date the application is received by the State agency. State agencies must document the application date on the application. If the application is received outside normal business hours the State agency will consider the date of application the next business day. For online applications, the date of application is the date the application is submitted, or the next business day if it is submitted after business hours..."

Appellant's submission of an online SNAP application outside of normal business hours.

3. "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 verification of the gross nonexempt income received by the Appellant's household.

4. "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).

The Department's 2021 request for the Appellant to verify her household's income was reasonable, based on the questionable information reported on the Appellant's second SNAP application as to income received by the Appellant and her spouse from 2007.

5. Title 7, Code of Federal Regulations, Section 273.2 (f)(4)(i) provides:

State agencies shall use documentary evidence as the primary source of verification for all items except residency and household size. These items may be verified either through readily available documentary evidence or through a collateral contact, without a requirement being imposed that documentary evidence must be the primary source of verification. Documentary evidence consists of a written confirmation of a household's circumstances. Examples of documentary evidence include wage stubs, rent receipts, and utility bills. Although documentary evidence shall be the primary source of verification, acceptable verification shall not be limited to any single type of document and may be obtained through the household or other source. ... For example, documentary evidence may be considered insufficient when the household presents pay stubs which do not represent an accurate picture of the household's income (such as out-dated pay stubs) or identification papers that appear to be falsified.

7 C.F.R. § 273.2 (f)(4)(i).

"The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information." "Households may supply documentary evidence in person, through the mail, by facsimile or other electronic device, or through an authorized representative...." 7 C.F.R. § 273.2 (f)(5)(i).

The Appellant had the primary responsibility to provide documents to the Department to support her statements on the second SNAP application and resolve the questionable information regarding income from

6. "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. ... At a minimum, the notice shall contain examples of the types of documents the household should provide and explain the period of time the documents should cover." 7 C.F.R. § 273.2 (c)(5).

The Department's 2021 *Proofs We Need* notice met the criteria for a notice that informs a household of verification requirements, as that criteria is discussed at 7 C.F.R. § 273.2 (c)(5).

7. "Verification is the use of documentation or a contact with a third party to confirm the accuracy of statements or information. The State agency must give households at least 10 days to provide required verification..." 7 C.F.R. § 273.2 (f).

The Department's 2021 *Proofs We Need* notice correctly provided the Appellant with at least 10 days to submit requested documents to verify her household's income.

8. "Households that are found to be ineligible shall be sent a notice of denial as soon as possible but not later than 30 days following the date the application was filed...." 7 C.F.R. § 273.2 (g)(3).

The Appellant did not verify her household's income by 2021, the date the Department denied her second SNAP application.

The Department's 2021 denial of the Appellant's 2021 SNAP application was in accordance with the federal regulations, as the Appellant failed to submit all requested verifications to the Department necessary to establish her SNAP eligibility.

DECISION

The Appellant's appeal is DENIED.

<u>Eva Tar-elect</u>ronic signature Eva Tar Hearing Officer

Pc: Carol Jones, DSS-Hartford
Merline Fowler, DSS-Hartford
Jay Bartolomei, DSS-Hartford
Musa Mohamud, DSS-Hartford
Judy Williams, DSS-Hartford
Jessica Carroll, DSS-Hartford

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.