

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

██████████ 2022
Signature Confirmation

Case ID # ██████████
Client ID # ██████████
Request # 187461

NOTICE OF DECISION

PARTY

██████████
██████████
██████████
██████████

PROCEDURAL BACKGROUND

On ██████████ 2021, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a Notice of Action (“NOA”) discontinuing his Supplemental Nutritional Assistance Program (“SNAP”) benefits effective ██████████, 2021.

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

On ██████████ 2021, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a notice scheduling the administrative hearing for ██████████, 2022.

On ██████████ 2022, in accordance with sections 17b-60, 17-61 and 4-176e to 4-189 inclusive of the Connecticut General Statutes, OLCRAH held an administrative hearing telephonically.

The following individuals were present at the hearing:

██████████, Appellant
Jaqueline Taft, Department Representative
Shawn P. Hardy, Hearing Officer

STATEMENT OF THE ISSUE

The issue is whether the Department correctly discontinued the Appellant's SNAP benefits effective [REDACTED] 2021.

FINDINGS OF FACT

1. On [REDACTED] 2021, the Department received a renewal of eligibility form from the Appellant for SNAP benefits for an assistance unit of one member. (Appellant's Testimony)
2. On [REDACTED] 2021, the Department attempted two cold calls to the Appellant to conduct the required SNAP interview. (Exhibit 1: Case Notes – Details)
3. On [REDACTED] 2021, the Department sent the Appellant a Proofs We Need ("W-1348") form requesting wage stubs for the Appellant due by [REDACTED], 2021. (Exhibit 2: W-1348, [REDACTED]/21)
4. On [REDACTED] 2021, the Department sent the Appellant an Interview Notice ("W-3-015N) which stated that he must complete an interview either in person or by phone for the SNAP program by [REDACTED], 2021. (Exhibit 3: W-3015N, [REDACTED]/21)
5. On [REDACTED] 2021, the Department sent the Appellant a Notice of Missed Interview ("W-0108N) indicating the Appellant failed to complete the interview and that the Appellant must still complete the interview to receive continued benefits. The notice states that the Department will discontinue the Appellant's SNAP benefits effective [REDACTED] [REDACTED] 2021, if the Appellant does not complete an interview. (Exhibit 4: W-0108N, [REDACTED] 21)
6. The Appellant did not provide the Department with wage stubs nor contact the Department to conduct an interview for the SNAP program. (Hearing Record, Appellant's Testimony)
7. The Appellant moved in with his girlfriend on or around [REDACTED] 2021. He did not inform the Department of his change of address. (Appellant's Testimony)
8. The Department did not receive returned mail for any of the notices sent to the address of record. (Hearing Record)
9. On [REDACTED], 2021, the Department sent the Appellant a Notification of Action ("W-0001N") discontinuing his SNAP benefits effective [REDACTED] 2021. (Exhibit 5: W-0001N, [REDACTED]/21)
10. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.15 which states that the agency must reach decision and notify the household of the decision within 60 days of receipt of a request for a fair hearing. The

Appellant requested an administrative hearing on [REDACTED], 2021. The decision is due no later than [REDACTED] 2022.

CONCLUSIONS OF LAW

1. Section 17b-2 of the Connecticut General Statutes authorizes the Commissioner of the Department of Social Services to administer the SNAP program in accordance with federal law.
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.

7 C.F.R. § 273.2(h)(i)(C) provides that in cases where verification is incomplete, the State agency must have provided the household with a statement of required verification and offered to assist the household in obtaining required verification and allowed the household sufficient time to provide the missing verification. Sufficient time shall be at least 10 days from the date of the State agency's initial request for the particular verification that was missing.

7 C.F.R. 273.2(f)(5)(i) provides that the household has primary responsibility for providing documentary evidence to support statements of the application and to resolve any questionable information.

7 C.F.R. § 273.9 (b)(2) provides for income countable income and deductions.

The Department correctly sent the Appellant the W-1348 form requesting missing information needed to determine eligibility and included the due date.

The Department correctly sent the Appellant the Interview Notice form requesting an interview to determine eligibility and included the due date.

The Department correctly notified the Appellant of the required actions and allowed at least 10 days to complete the required action.

3. 7 C.F.R. 273.14(a) provides the 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. The state agency must establish procedures for notifying households of expiration dates, providing application forms, scheduling interviews, and recertifying eligible households prior to the expiration of certification periods. Households must apply for recertification and comply with interview and verification requirements.

Title 7 C.F.R 273.14(e)(2) provides that if a household files an application before the end of the certification period, but fails to take a required action, the State agency may deny the case at that time, at the end of the certification period, or at the end of 30 days.

The Department correctly determined that it received the SNAP renewal form before the recertification end date without all required verification and continued to process the case to determine ongoing eligibility.

Fixed passive

The Appellant failed to notify the Department of his change of address.

The Department correctly determined that the Appellant failed to complete the required interview and submit all the required documentation by end of the recertification period or by the verification due date.

The Department correctly discontinued the Appellant's SNAP benefits effective [REDACTED], 2021, for failure to complete the redetermination process.

DECISION

The Appellant's appeal is **DENIED**.

Shawn P. Hardy

Shawn P. Hardy
Hearing Officer

Pc: Rachel Anderson, Operations Manager, DSS R.O. # 20, New Haven
Mathew Kalarickal, Operations Manager, DSS R.O. # 20, New Haven
Lisa Wells, Operations Manager, DSS R.O. # 20, New Haven
Jacqueline Taft, Fair Hearings Liaison, DSS R.O. # 20, New Haven
Ferris Clare, Fair Hearings Liaison, DSS R.O. # 20, 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 Administrative Hearings and Appeals, 55 Farmington Avenue, Hartford, CT 06105-3725.

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.