

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

██████████, 2022
SIGNATURE CONFIRMATION

CASE # ██████████
CLIENT ID # ██████████
REQUEST# ██████████

NOTICE OF DECISION

PARTY

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PROCEDURAL BACKGROUND

On ██████████, 2021 the Department of Social Services (the "Department") issued a Notice of Action ("NOA") to ██████████ (the "Appellant") discontinuing her Supplemental Nutritional Assistance Program ("SNAP") benefits for failing to complete the renewal process.

On ██████████ 2021, the Appellant requested an administrative hearing to appeal the SNAP discontinuance.

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, 17-61 and 4-176e to 4-189 inclusive, of the Connecticut General Statutes, OLCRAH held an Administrative Hearing. The hearing was held telephonically with no objection from any party.

The following individuals participated in the hearing:

██████████, Appellant
Hugo, Language Link Interpreter
Christopher Filek, Department's representative
Joseph Alexander, Administrative Hearing Officer

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department correctly discontinued the SNAP benefits.

FINDINGS OF FACT

1. On ██████████, 2021, a SNAP renewal was sent to the Appellant at address ██████████. (Department's Testimony, Department's Exhibit 6: Return Mail)
2. On ██████████ 2021, the SNAP renewal sent to the Appellant on ██████████ 2021 was returned to the Department with a forwarding address of ██████████ (Department's Exhibit 6: Return Mail)
3. On ██████████ 2021, The Department issued a Warning Notice to the Appellant at address ██████████. (Department's Exhibit 3: Warning Notice)
4. The Appellant did not return a completed renewal form to the Department prior to ██████████, 2021. (Department Testimony, Hearing Record)
5. On ██████████, 2021, the Department sent a NOA to the Appellant regarding the discontinuance of SNAP effective ██████████ due the renewal process not being completed. The NOA was sent to ██████████ (Department's Exhibit 4: NOA dated ██████████)
6. The issuance of this decision is timely under Connecticut General Statutes 17b-61(a), which requires that a decision be issued within ██████████ days of the request for an Administrative Hearing. The hearing request was received on ██████████ 2021 therefore, this decision is due no later than ██████████ 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. Title 7 of the Code of Federal Regulations (“CFR”) § 273.14(a) states in part, “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.”

The Department correctly issued to the Appellant a W-1ER Renewal of Eligibility form. The Appellant’s SNAP certification period correctly ended on [REDACTED] 2021.

3. 7 CFR § 273.14(b)(1)(i) and (iii) provides for the notice of expiration. EDGs must receive notice that their current benefit period is ending and what they must do to continue to receive SNAP benefits.

The Department correctly issued a Warning Notice to the Appellant informing her that the SNAP benefit would be discontinued unless a renewal form was returned to the Department.

4. 7 CFR § 273.2(c)(1)(iv) & 7 CFR § 273.14(c)(1)-(4) provides for the timely renewal application. To file timely, EDGs must provide a signed and dated renewal application by the 15th day of the last month of their benefit period. The renewal application can be submitted:
 - by mail
 - in-person
 - online through MyAccount, or
 - through the Social Security office

EDGs lose their right to uninterrupted benefits when they fail to timely file. The case automatically closes at the end of the benefit period of the renewal application is not provided by the last day of the benefit period.

The Appellant’s SNAP was correctly discontinued effective [REDACTED] 2021, as the Department had not received a renewal form.

DISCUSSION

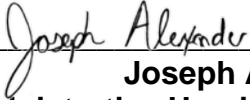
During the hearing the Appellant testified that she did not receive a renewal form via mail and only discovered her SNAP benefit had been discontinued when she received the NOA dated [REDACTED], 2021, detailing the discontinuance of the SNAP.

The Appellant also testified that she did not update her address with the Department prior to the renewal form being sent to her.

The Department sent the renewal form to the Appellant's last known address at the time and while it may have been a courtesy to send a copy to the newly reported address, the Department was not obligated by CFR to do so.

DECISION

The Appellant's appeal is DENIED



Joseph Alexander
Administrative Hearing Officer

CC: Brian Sexton, Operations Manager, DSS, Middletown Regional Office
Christopher Filek, Administrative Hearing Liaison, DSS, Hartford Regional Office

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.

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.