

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 # ██████████
Request # 189018

NOTICE OF DECISION

PARTY

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PROCEDURAL BACKGROUND

On ██████████ ██████████ 2021, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a Notice of Action (“NOA”) discontinuing the Appellant’s Supplemental Nutrition Assistance Program (“SNAP”) benefits because she failed to complete the renewal process by not supplying the information required to determine eligibility.

On ██████████ ██████████ ██████████ the Appellant requested an administrative hearing to contest the discontinuance of her SNAP 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. The following individuals participated in the hearing:

██████████ ██████████ ██████████ the Appellant
Lauren Hilliker, Department’s Representative
Carlos Duenas, Spanish Interpreter
Shawn P. Hardy, Hearing Officer

STATEMENT OF THE ISSUE

The issue is whether the Department correctly discontinued the Appellant's SNAP benefits for failure to complete the renewal process.

FINDINGS OF FACT

1. On [REDACTED] [REDACTED] 2021, the Department received the Appellant's online renewal for SNAP assistance for a household of five persons which included the Appellant, her three children and the Appellant's boyfriend. The Appellant's period of eligibility was due to end on [REDACTED] [REDACTED] 2021. (Exhibit 2: Online Renewal; Hearing Summary)
2. On [REDACTED] [REDACTED] 2021, the Department reviewed the Appellant's renewal form. The Appellant reported that she is no longer employed with [REDACTED] [REDACTED] [REDACTED] and she used to work 16 hours per week. She reported that she pays no rent or utilities and pays for a phone. (Exhibit 2; Exhibit 1: Case notes)
3. The Department reviewed the Department of Labor ("DOL") employment information and discovered that the Appellant and her boyfriend had recent earnings from [REDACTED] [REDACTED] [REDACTED] [REDACTED] and [REDACTED] [REDACTED] (Exhibit 7: DOL results)
4. On [REDACTED] [REDACTED] 2021, the Department unsuccessfully attempted to conduct a telephone interview with the Appellant. The Department mailed a W-3015N – Interview Notice and W-1348 – Proofs We Need to the Appellant's address of record. The interview notice states that an interview is required by [REDACTED] [REDACTED] 2021 or her benefits would be discontinued effective [REDACTED] [REDACTED] 2021. The W1348 states the requested verification is due by [REDACTED] [REDACTED] 2021. (Exhibit 4: Proofs We Need, [REDACTED]; Exhibit 6: Interview Notice)
5. On [REDACTED] [REDACTED] 2021, the Department completed the telephone interview with the Appellant. The Appellant stated [REDACTED] [REDACTED] is her employer. She receives a weekly paycheck for 16 hours a week at \$13.00 per hour. The Appellant stated that her boyfriend was only employed for two weeks with [REDACTED] [REDACTED]. (Exhibit 1: Case Notes)
6. The Appellant submitted the requested documents through the online portal multiple times on [REDACTED] [REDACTED], 2021 and [REDACTED] [REDACTED] 2021. (Appellant's Testimony)

7. The Department conducted a document search for the requested information using the Appellant's full name, case number, and client identification number. (Exhibit 5: Document Search, Exhibit 8: Document Search)
8. On [REDACTED] 2021, the Department discontinued the Appellant's SNAP benefits because the Appellant did not submit the requested information needed to establish ongoing eligibility. (Exhibit 3: NOA, [REDACTED]; Hearing Summary)
9. The issuance of the decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.15, which states that the agency must issue a 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; therefore, this decision is due not later than [REDACTED] 2022.

CONCLUSIONS OF LAW

1. Section 17b-2 of the Connecticut General Statutes provides that the Department of Social Services is designated as the state agency for the administration of the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.
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 to time the documents should cover.

The Department correctly sent the Appellant a Proofs We Need notice advising her that it needed additional verifications to establish eligibility.

3. 7 C.F.R. § 273.2(h)(i)(C) provides for 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.

The Department correctly sent the Appellant an Interview Notice advising her that she needed to complete an interview to establish eligibility.

4. 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.

The Appellant did not provide the requested information by the due date of [REDACTED] 2021.

5. 7 C.F.R. § 273.14 ((a) **General**. 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.

On [REDACTED] [REDACTED] 2021, the Department correctly discontinued the Appellant's SNAP benefits effective [REDACTED] 2021 (end of period of eligibility) because she failed to provide the information needed to complete her renewal process and establish ongoing eligibility for the SNAP.

DECISION

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

Shawn P. Hardy

Shawn P. Hardy
Hearing Officer

Pc: Brian Sexton, Operations Manager, DSS R.O. #50, Middletown Office
Christopher Filek, Fair Hearing Liaison, DSS R.O. #50, Middletown Office
Lauren Hilliker, Fair Hearing Liaison, DSS R.O. #50, Middletown Office

