

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

██████████
██████████
██████████

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 ██████████ 2022, the Appellant requested an administrative hearing to appeal the SNAP discontinuance.

On ██████████ 2022, 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 hearing was held telephonically with no objection from any party.

The following individuals participated in the hearing:

██████████, Appellant
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 effective ██████████ 2022.

FINDINGS OF FACT

1. On ██████████ 2021, the Department received a W-1ER Renewal of Eligibility Form ("W-1ER"). (Dept. Ex. 1: Case Notes)
2. On ██████████, 2021, the Department reviewed the W-1ER and determined additional information was needed to establish the Appellant's ongoing SNAP eligibility. The Department issued a W-1348 Proofs We Need ("W-1348") to the Appellant requesting the following information which was due to be returned to the Department by ██████████ 2022. (Dept. Ex. 1: Case Notes, Dept. Ex. 2: W-1348)
 - Proof of gross earnings from ██████████
 - Last date worked for/with ██████████
3. On ██████████, 2021, the Department issued a NOA to the Appellant detailing the discontinuance of her SNAP effective ██████████ 2022, as the renewal process had not been completed prior to the Appellant's SNAP eligibility period expiring. (Dept. Ex. 3: NOA)
4. On ██████████ 2022, the Appellant contacted the Department's Benefit Center to complete the SNAP renewal interview. At that time the Department reviewed the outstanding information the Appellant needed to submit for the Department to determine her ongoing eligibility for SNAP. (Dept. Ex. 1: Case Notes)
5. On ██████████ 2022, the Department received verification of end of employment with ██████████ and noted receipt of verification of income effective ██████████ 2022. The Department determine the income information submitted was not "recent" and Therefore, could not be used to establish the Appellant's SNAP eligibility effective ██████████ 2022. (Dept. Ex. 1: Case Notes, Dept. Ex. 4: Document Search)
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 ██████████ 2022 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.”
3. 7 CFR § 273.2(e) & 7 CFR § 273.14(b)(1)(i) and (iii) and (2)-(4) & Waiver 7 CFR § 273.2(e) provides that a renewal is complete when:
 - a W-1ER, Renewal Application, is provided,
 - all required verifications are provided, and
 - an interview is completed by the EDG or A-Rep, if required

The Appellant correctly submitted a W-1ER Renewal Application and the required interview was conducted.

4. 7 CFR § 273.2(f)(8)(i)-(iv) & 7 CFR § 273.12(c)(2) & 7 CFR § 273.14(b)(4) provides That Eligibility Determination Groups (EDGs) must provide required verification as renewal, including but not limited to:
 - ABAWD work hours
 - Data match information
 - Income changes if the source or amount changed by more than \$50 or the information is incomplete, inaccurate, inconsistent, or outdated.
 - Interim changes
 - Medical expenses previously unreported
 - Newly obtained SSNs
 - Non-citizen sponsor deeming
 - Reported medical expenses that changed by more than \$25
 - Other changes requiring verification

Provide the EDG with a W-1348, and allow the EDG 10 days to provide the required verifications.

EDGs can provide verifications:

- In-person
- By mail, or
- By uploading verifications online through MyAccount

The Department correctly issued a W-1348 informing the Appellant as to what verifications were needed for ongoing SNAP eligibility to be determined

5. 7 CFR § 273.14(b)(4) provides for when an EDG fails to provide verification. The Department is instructed to Give the EDG form W-1348, Proofs We Need, if additional verification is required. Allow the EDG 10 days to provide the required verification.

The case closes at the end of the benefit period if the EDG fails to provide all required verifications by the end of the benefit period.

Exception: Hold the renewal to the end of the 10-day timeframe when the W-1348 due date goes beyond the end of the benefit period. Reinstate the case within 5 days of receipt of the required verifications when:

- the benefit period ended, and
- the EDG provides the required verifications by the W-1348 due date

6. 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 Notice of Action to the Appellant informing her that the SNAP benefit would be discontinued effective [REDACTED] 2022.

7. 7 CFR § 273.14(e)(2) provides for actions completed within 30 days of the end of the benefit period. The Department is instructed to reopen the case and prorate benefits from the date the EDG completes the required actions if;
- the EDG submitted their renewal application before the end of the benefit period, and
 - the renewal was denied because required actions were not completed by the end of the benefits period, and
 - the EDG completed the required actions within 30 days of the end of the benefit period

The Department correctly determined the Appellant did not complete the required action of submitting verifications by the end of, or within [REDACTED] of the end of the benefit period.

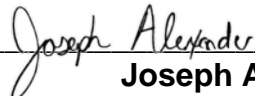
DISCUSSION

During the hearing the Appellant testified that on [REDACTED], 2022, she provided verification of her income in-person at the [REDACTED] regional office and was instructed to place the verification in an envelope and drop the document off. Dept. Ex. 1 (Case Notes) confirms the Appellant did in fact submit some income information on [REDACTED], 2022, however the Department found the information to be insufficient. Between [REDACTED], 2022, and [REDACTED] 2022 (date Dept. received income verification) the Appellant did not submit or re-submit the requested verifications as she testified she was under the impression that she had a 30-day grace period for reinstatement of benefits once closed.

The Appellant's SNAP correctly closed on [REDACTED] 2022, as her benefit period had expired and remain closed as she did not complete the required action within 30 days of the end of the benefit period.

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.