

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

██████████  
██████████  
Request # 196345

**NOTICE OF DECISION**

**PARTY**

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

**PROCEDURAL BACKGROUND**

On ██████████, 2022, the Department of Social Services (the "Department") sent ██████████ (the "Appellant"), a notice of action ("NOA") approving his application for Supplemental Nutrition Assistance Program ("SNAP") benefits for the month of ██████████ 2022 only.

On ██████████ 2022, the Appellant requested an administrative hearing to contest the Department's action.

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

On ██████████ 2022, the Appellant requested the hearing to be rescheduled.

On ██████████ 2022, OLCRAH issued a notice rescheduling 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 were present at the hearing:

████████████████████, the Appellant

Chris Filek, Department's Representative  
Kristin Haggan, Hearing Officer, Observer  
Tina Haskell, Hearing Officer, Observer  
Alisha Richardson, Hearing Officer, Observer  
Carla Hardy, Hearing Officer

### **STATEMENT OF THE ISSUE**

The issue to be decided is whether the Department correctly approved the Appellant's SNAP benefits for [REDACTED] 2022 only.

### **FINDINGS OF FACT**

1. On [REDACTED] 2022, the Department received the Appellant's application for SNAP assistance. The Appellant reported no income, however the Department's archives showed earnings in the most recent quarter from [REDACTED] (Exhibit 5: Case Notes; Hearing Summary)
2. On [REDACTED] 2022, the Department requested proof of the Appellant's last four wages or the proof of the date that he last worked. The requested information was due [REDACTED] 2022. (Exhibit 6: Proofs We Need, [REDACTED]/22)
3. On [REDACTED] 2022, the Department attempted to reach the Appellant to conduct the telephone interview. They were not successful. The Department notified the Appellant that he must complete a telephone interview and send the required information by [REDACTED] 2022, or his application would be denied. (Exhibit 1: Interview Notice; Exhibit 5)
4. On [REDACTED] 2022, the Department granted expedited SNAP for the month of [REDACTED] 2022 only. The Appellant was notified that he was granted expedited SNAP because he was not interviewed and needed SNAP right away. The Appellant was notified that he needs to be interviewed by [REDACTED] 2022, and provide the required proofs by [REDACTED], 2022 to continue receiving SNAP after [REDACTED] 2022. (Exhibit 3: NOA, [REDACTED]/22)
5. On [REDACTED] 2022, the Department reminded the Appellant that he was not interviewed. (Exhibit 2: Notice of Missed Interview, [REDACTED]22)
6. The Appellant's phone was stolen. He could not call the Department for his interview. (Appellant's Testimony)
7. In [REDACTED] 2022, the Appellant replaced his phone. He checked his account, saw that his SNAP was approved for [REDACTED] 2022 only. (Appellant's Testimony)

8. In [REDACTED] 2022, the Appellant completed his interview. (Appellant's Testimony)
9. On [REDACTED] 2022, the Appellant submitted a new application and provided the requested information from the Proofs We Need document dated [REDACTED] 2022. (Appellant's Testimony)
10. The issuance of this decision is timely under the Code of Federal Regulations § 273.15 which states that a decision must be reached, and the household notified within 60 days of receipt of a request for a hearing. The Appellant requested an administrative hearing on [REDACTED] 2022, Therefore, this decision is due not later than [REDACTED], 2022. However, the Appellant requested a reschedule of the hearing which caused an 27-day delay. Therefore, this decision is due not later than [REDACTED], 2022. (Hearing Summary)

### **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. Title 7 of the Code of Federal Regulations ("C.F.R.") Section 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.
3. Title 7 C.F.R. § 273.14(a) provides that 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 sent the Appellant a Proofs We Need notice, advising that additional verifications were needed to establish eligibility.**

4. Title 7 C.F.R. § 273.2(e) provides for interviews. (1) except for households certified for longer than 12 months, and except as provided in paragraph (e)(2) of this section, households must have a face-to-face interview with an eligibility worker at initial certification and at least once every 12 months thereafter... (2) the State agency may use a telephone interview instead of the face-to-face interview required in paragraph (e)(1) of this section for all applicant households, for specified categories of households, or on a case-by-case basis because of household hardship situations as determined by the State agency...

**The Department correctly determined that the Appellant did not complete the required interview.**

5. Title 7 C.F.R. § 273.2(i) provides for expedited service. (4)(iii)(A) provides for households applying on or before the 15th of the month, the State agency may assign a one-month certification period or assign a normal certification period. Satisfaction of the verification requirements may be postponed until the second month of participation. If a one-month certification period is assigned, the notice of eligibility may be combined with the notice of expiration or a separate notice may be sent. The notice of eligibility must explain that the household has to satisfy all verification requirements that were postponed. For subsequent months, the household must reapply and satisfy all verification requirements which were postponed or be certified under normal processing standards. If the household does not satisfy the postponed verification requirements and does not appear for the interview, the State agency does not need to contact the household again.

**The Department correctly determined that the Appellant did not complete the application before the end of the one-month certification period.**

**On ██████████ 2022, the Department correctly granted SNAP for ██████████ 2022 only because the Appellant did not complete the interview or provide the required verifications.**

### **DECISION**

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

*Carla Hardy*  
 \_\_\_\_\_  
 Carla Hardy  
 Hearing Officer

Pc: Brian Sexton, Operations Manager, DSS, Middletown Office  
 Chris Filek, Fair Hearing Liaison, DSS, Middletown 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.