

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# 196701

NOTICE OF DECISION

PARTY

██████████
██████████
██████████

PROCEDURAL BACKGROUND

On ██████████ 2022, the Department of Social Services (the “Department”) issued a Notice of Action (“NOA”) to ██████████ (the “Appellant”) discontinuing the Supplemental Nutritional Assistance (“SNAP”) benefits effective ██████████ 2022.

On ██████████ 2022, the Appellant requested an Administrative Hearing to appeal the Department’s decision to discontinue the SNAP.

On ██████████ 2022, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a notice scheduling the Administrative Hearing for ██████████ 2022, in person at the Department’s regional office located in ██████████.

On ██████████ 2022, the Appellant contacted the OLCRAH and requested the hearing be rescheduled by phone.

On ██████████ 2022, the OLCRAH issued a notice rescheduling the Administrative Hearing for ██████████ 2022.

On [REDACTED] 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 participated in the hearing by phone:

[REDACTED], Appellant
[REDACTED], Appellant's Aunt
Carmen Ferrer, Department's Representative
Jessica Gulianello, Hearing Officer

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department's action to discontinue the SNAP due to excess income was correct.

FINDINGS OF FACT

1. The Department determined the Appellant age [REDACTED] (DOB: [REDACTED]) eligible for the SNAP for the benefit period of [REDACTED] 2021, through [REDACTED] 2022, as a household comprised of one individual. (Exhibit 1: W-1ERL - [REDACTED]/2022, Department's testimony)
2. On [REDACTED] 2022, the Department mailed the Appellant a Notice of Renewal of Eligibility form ("W-1ERL") with a Notice of Renewal of Eligibility form ("W1-ER") enclosed requesting completion due by [REDACTED] 2022. (Exhibit 1: W-1ERL - [REDACTED]/2022, Department's Testimony)
3. On [REDACTED] 2022, the Department sent the Appellant a Warning Notice. The Warning Notice stated the following, "To keep getting your benefits without interruption, you must return the form to us by [REDACTED]/2022. If you do not return the form, complete an interview if required and send in all proofs, we will discontinue your benefits effective [REDACTED]/2022 because you did not complete your renewal on time." (Exhibit 2: Warning Notice - [REDACTED]/2022, Department's Testimony)
4. On [REDACTED] 2022, the Department received the W-1ER. The W-1ER was signed but it was not dated. (Exhibit 12: W-1ER - [REDACTED]/2022)
5. On [REDACTED] 2022, the Department reviewed the W-1ER and sent the Appellant a Missing Signature Notice for Renewals ("W-0018"). The W-0018 informed the Appellant of the following, "The Department of Social Services (DSS) got your renewal form, but it was not signed. We cannot act on your renewal until it is signed." The W-0018 further provided the Appellant with directions for completing the renewal process online or by mail. (Exhibit 3: W-0018 - [REDACTED] 2022, Exhibit 13: Case Notes - [REDACTED] 2022, Department's Testimony)

6. On ██████ 2022, the Department received the Certifications and Signatures document signed and dated from the Appellant. (Exhibit: 11: Certifications and Signatures dated ██████2022, Exhibit 13: Case Notes – ██████2022, Department’s Testimony)
7. On ██████ 2022, the Department mailed the Appellant a Notice of Action (“W-0001N”). The NOA informed the Appellant SNAP was closed effective ██████ 2022, citing the following reasons, “renewal form was not submitted”, “renewal process not completed, “no household members are eligible for this program”, and “does not meet program requirements”. (Exhibit 4: NOA – ██████2022, Department’s Testimony)
8. On ██████ 2022, the Appellant contacted the Department’s Benefit Center concerning the SNAP and the Department conducted a telephone interview (“TI”) with the Appellant. (Exhibit 13: Case Notes – Details, ██████2022)
9. The Appellant is a ██████ employee with ██████: ██████ ██████ and ██████ ██████ also known as (“aka”) ██████. (Hearing Record)
10. The Department received ██████ to verify the Appellant’s wages with ██████ ██████.

Pay Period:	██████	Gross Wages:	Hours Worked:
██████/2022-██████/2022	██████/2022	\$375.12	24
██████/2022-██████/2022	██████/2022	\$375.12	24
██████/2022-██████/2022	██████/2022	\$375.12	24
██████/2022-██████/2022	██████/2022	\$375.12	24

The Department calculated the Appellant’s monthly gross wages as follows: 24 hours per week x \$15.63 per hour = \$375.12 weekly x 4.3 weeks per month = \$1,613.02.

(Exhibit 9: ██████, Department’s Testimony)

11. The Appellant utilized ██████ to verify the Appellant’s wages with ██████ also known as ██████ ██████.

Pay Date:	Gross Wages:	Hours Worked:
██████/2022	\$256	16
██████/2022	\$256	16
██████/2022	\$256	16
██████/2022	\$256	16

The Department calculated the Appellant’s monthly gross wages as follows: 16 hours per week x \$16 per hour= \$256 weekly x 4.3 weeks per month = \$1,100.80.

(Exhibit 10: [REDACTED], [REDACTED]/22, Department's Testimony)

12. The Appellant has not been determined to be disabled [REDACTED] [REDACTED]. (Exhibit 15: [REDACTED])
13. The Appellant did not request an accommodation, request extra help, or assistance from the Department. (Exhibit 12: W-1ER, [REDACTED]/2022, Department's Testimony)
14. The gross income limit for a one-person SNAP household is \$1,986 per month. (Exhibit 14: ImpaCT Federal SNAP – Income test – [REDACTED]2022, Hearing Summary, Department's Testimony)
15. The Appellant's total gross monthly income of \$2,713.82 (\$1,613.02 from [REDACTED] [REDACTED] + \$1,100.80 from [REDACTED] [REDACTED]) exceeds the gross income limit of \$1,986 per month for a SNAP household of one individual. (Exhibit 14: ImpaCT Federal SNAP – Income Test – [REDACTED]2022, Exhibit 5: NOA – [REDACTED]2022, Exhibit 6: NOA – [REDACTED]2022, Exhibit 13: Case Notes – [REDACTED]2022, Exhibit 14: ImpaCT Federal SNAP – Income test – [REDACTED]2022, Hearing Summary, Department's testimony)
16. On [REDACTED] 2022, the Department reopened the SNAP and updated the Appellant's Earned Income in the online eligibility management system, ("ImpaCT") and issued the Appellant a NOA. The NOA informed the Appellant that SNAP again closed effective [REDACTED] 2022, citing updated reasons, "The monthly gross income of your household is more than the limit for this program" and "Does not meet program requirements". (Exhibit 5: NOA – [REDACTED]2022, Department's Testimony)
17. The issuance of this decision is timely under section 17b-61(a) of Connecticut General Statutes, which requires that a decision be issued within 60 days of the request for an Administrative Hearing. The Appellant requested an Administrative Hearing on [REDACTED] [REDACTED] 2022. This decision, therefore, was due no later than [REDACTED] 2022. The Hearing, however, which was originally scheduled for [REDACTED] 2022, was rescheduled for [REDACTED] 2022, at the request of the Appellant, which caused a [REDACTED]-day delay. This decision, therefore, was due no later than [REDACTED] 2022. However, the Hearing record, which had been anticipated to close on [REDACTED] 2022, did not close for the admission of evidence until [REDACTED] 2022, at the Appellant's request. Because this [REDACTED] day in the close of the Hearing record arose from the Appellant's request, this final decision was not due until [REDACTED] 2022, and is therefore timely. (Hearing Record)

CONCLUSIONS OF LAW

1. Section 17b-2(7) of the Connecticut General Statute provides the following: “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.”

The Department has the authority to administer the SNAP.

2. Title 7 of the Code of Federal Regulations (“C.F.R”) § 273.10(f) provides the following: *Certification periods*. The State agency must certify each eligible household for a definite period of time. State agencies must assign the longest certification period possible based on the predictability of the household's circumstances. The first month of the certification period will be the first month for which the household is eligible to participate. The certification period cannot exceed 12 months except to accommodate a household's transitional benefit period and as specified in paragraphs (f)(1) and (f)(2) of this section.

The Department complied with Federal Regulation and correctly determined the Appellant eligible for a 12-month SNAP certification period with a begin date of [REDACTED] 2021, and an end date of [REDACTED] 2022.

3. 7 C.F.R § 273.14(a) provides the following: *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.
4. 7 C.F.R § 273.14(b)(1)(i) provides the following: The State agency shall provide households certified for one month or certified in the second month of a two-month certification period a notice of expiration (NOE) at the time of certification. The State agency shall provide other households the NOE before the first day of the last month of the certification period, but not before the first day of the next-to-the-last month. Jointly processed PA and GA households need not receive a separate SNAP notice if they are recertified for SNAP benefits at the same time as their PA or GA redetermination.

The Department complied with Federal Regulation and correctly issued the Appellant a NOE on [REDACTED] 2022, for the SNAP certification cycle that expired on [REDACTED] 2022.

The Department correctly issued a Warning Notice on [REDACTED] 2022, as a reminder of the SNAP expiration.

5. 7 C.F.R § 273.14(b)(2) provides the following: *Application*. The State agency must develop an application to be used by households when applying for recertification. It may be the same as the initial application, a simplified version, a monthly reporting form, or other method such as annotating changes on the initial application form. A new household signature and date is required at the time of application for recertification. The provisions of § 273.2(c)(7) regarding acceptable signatures on applications also apply to applications used at recertification. The recertification process can only be used for those households which apply for recertification prior to the end of their current certification period, except for delayed applications as specified in paragraph (e)(3) of this section. The process, at a minimum, must elicit from the household sufficient information that, when added to information already contained in the casefile, will ensure an accurate determination of eligibility and benefits. The State agency must notify the applicant of information which is specified in § 273.2(b)(2), and provide the household with a notice of required verification as specified in § 273.2(c)(5).
6. 7 C.F.R § 273.2(c)(7) provides the following: Signing an application or reapplication form. In this paragraph, the word “form” refers to applications and reapplications.
7. 7 C.F.R § 273.2(c)(7)(i) provides the following: Requirement for a signature. A form must be signed to establish a filing date and to determine the State agency's deadline for acting on the form. The State agency shall not certify a household without a signed form.

The Department complied with the Federal Regulation and correctly determined the W-1ER received on [REDACTED] 2022, was not dated by the Appellant.

The Department correctly issued the Appellant a Missing Signature Notice for Renewals notice with a Certifications and Signatures document attached and provided her with instructions and options for returning it completed.

8. 7 C.F.R § 273.2(c)(1)(iv) provides the following: *Recording the filing date*. The date of application is the date the application is received by the State agency. State agencies must document the application date on the application. If the application is received outside normal business hours the State agency will consider the date of application the next business day. For online applications, the date of application is the date the application is submitted, or the next business day if it is submitted after business hours. For telephonic applications, the date of application is the date on which the household member provides verbal assent.

The Appellant complied with the Department's request and returned the completed Certifications and Signatures page signed and dated [REDACTED] 2022.

The Department complied with the Federal Regulation and correctly determined the completed renewal form was received on [REDACTED] 2022.

9. 7 C.F.R § 273.2(f)(2)(i) provides the following: The State agency shall verify, prior to certification of the household, all other factors of eligibility which the State agency determines are questionable and affect the household's eligibility and benefit level. The State agency shall establish guidelines to be followed in determining what shall be considered questionable information. These guidelines shall not prescribe verification based on race, religion, ethnic background, or national origin. These guidelines shall not target groups such as migrant farmworkers or American Indians for more intensive verification under this provision.
- 10.7 C.F.R § 273.14(e)(2) provides the following: 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. Notwithstanding the State's right to issue a denial prior to the end of the certification period, the household has 30 days after the end of the certification period to complete the process and have its application be treated as an application for recertification. If the household takes the required action before the end of the certification period, the State agency must reopen the case and provide a full month's benefits for the initial month of the new certification period. If the household takes the required action after the end of the certification period but within 30 days after the end of the certification period, the State agency shall reopen the case and provide benefits retroactive to the date the household takes the required action. The State agency shall determine cause for any delay in processing a recertification application in accordance with the provisions of § 273.3(h)(1).

The Department correctly issued the Appellant a NOA on [REDACTED] 2022, closing the SNAP effective [REDACTED] 2022, as the renewal process was not completed.

The Appellant contacted the Department on [REDACTED] 2022, within [REDACTED] days after the end of the certification cycle and the Department correctly reopened the SNAP.

- 11.7 C.F.R § 273.1(a) provides the following: *General household definition.* A household is composed of one of the following individuals or groups of individuals, unless otherwise specified in paragraph (b) of this section: (1) An individual living alone; (2) An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; or (3) A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.

7 C.F.R. § 273.1(b)(1)(ii) provides the following: *General household definition.* The following individuals who live with others must be considered as customarily purchasing food and preparing meals with the others, even if they do not do so, and

thus must be included in the same household, unless otherwise specified. A person under 22 years of age who is living with his or her natural or adoptive parent(s) or step-parent(s).

The Department complied with the Federal Regulations and correctly determined the SNAP household comprised of one individual, the Appellant.

12.7 C.F.R § 273.2(e)(1) provides the following: 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. State agencies may not require households to report for an in-office interview during their certification period, though they may request households to do so. For example, State agencies may not require households to report en masse for an in-office interview during their certification periods simply to review their case files, or for any other reason. State agencies may not require an in person interview solely to take a photo. Interviews may be conducted at the SNAP office or other mutually acceptable location, including a household's residence. If the interview will be conducted at the household's residence, it must be scheduled in advance with the household. If a household in which all adult members are elderly or disabled is certified for 24 months in accordance with § 273.10(f)(1), or a household residing on a reservation is required to submit monthly reports and is certified for 24 months in accordance with § 273.10(f)(2), a face-to-face interview is not required during the certification period. The individual interviewed may be the head of household, spouse, any other responsible member of the household, or an authorized representative. The applicant may bring any person he or she chooses to the interview. The interviewer must not simply review the information that appears on the application, but must explore and resolve with the household unclear and incomplete information. The interviewer must advise households of their rights and responsibilities during the interview, including the appropriate application processing standard and the households' responsibility to report changes. The interviewer must advise households that are also applying for or receiving PA benefits that time limits and other requirements that apply to the receipt of PA benefits do not apply to the receipt of SNAP benefits, and that households which cease receiving PA benefits because they have reached a time limit, have begun working, or for other reasons, may still qualify for SNAP benefits. The interviewer must conduct the interview as an official and confidential discussion of household circumstances. The State agency must protect the applicant's right to privacy during the interview. Facilities must be adequate to preserve the privacy and confidentiality of the interview.

7 C.F.R § 273.2(e)(2) provides the following: 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 hardship conditions must include, but are not limited to, illness, transportation difficulties, care of a household member, hardships due to residency

in a rural area, prolonged severe weather, or work or training hours that prevent the household from participating in an in-office interview. If a State agency has not already provided that a telephone interview will be used for a household, and that household meets the State agency's hardship criteria and requests to not have an in-office interview, the State agency must offer to the household to conduct the interview by telephone. The State agency may provide a home-based interview only if a household meets the hardship criteria and requests one. A State agency that chooses to routinely interview households by telephone in lieu of the face-to-face interview must specify this choice in its State plan of operation and describe the types of households that will be routinely offered a telephone interview in lieu of a face-to-face interview. The State agency must grant a face-to-face interview to any household that requests one.

The Department complied with the Federal Regulations and completed an on-demand interview with the Appellant by telephone on [REDACTED] 2022.

- 13.7 C.F.R § 273.9(b) provides the following: *Definition of income*. Household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section. (1) Earned income shall include: (i) All wages and salaries of an employee.

The Department complied with the Federal Regulation and correctly determined the Appellant's gross wages with [REDACTED] and [REDACTED] are counted income for the SNAP.

- 14.7 C.F.R § 273.10(a)(1)(i) provides the following: *Month of application - Determination of eligibility and benefit levels*. A household's eligibility shall be determined for the month of application by considering the household's circumstances for the entire month of application. Most households will have the eligibility determination based on circumstances for the entire calendar month in which the household filed its application. However, State agencies may, with the prior approval of FNS, use a fiscal month if the State agency determines that it is more efficient and satisfies FNS that the accounting procedures fully comply with certification and issuance requirements contained in these regulations. A State agency may elect to use either a standard fiscal month for all households, such as from the 15th of one calendar month to the 15th of the next calendar month, or a fiscal month that will vary for each household depending on the date an individual files an application for the Program. Applicant households consisting of residents of a public institution who apply jointly for SSI and SNAP benefits prior to release from the public institution in accordance with § 273.11(i) will have their eligibility determined for the month in which the applicant household was released from the institution.

7 C.F.R § 273.10(c)(1)(i) provides the following: *Determining income - Anticipating income*. (i) For the purpose of determining the household's eligibility and level of benefits, the State agency shall take into account the income already received by

the household during the certification period and any anticipated income the household and the State agency are reasonably certain will be received during the remainder of the certification period. If the amount of income that will be received, or when it will be received, is uncertain, that portion of the household's income that is uncertain shall not be counted by the State agency. For example, a household anticipating income from a new source, such as a new job or recently applied for public assistance benefits, may be uncertain as to the timing and amount of the initial payment. These moneys shall not be anticipated by the State agency unless there is reasonable certainty concerning the month in which the payment will be received and in what amount. If the exact amount of the income is not known, that portion of it which can be anticipated with reasonable certainty shall be considered as income. In cases where the receipt of income is reasonably certain but the monthly amount may fluctuate, the household may elect to income average. Households shall be advised to report all changes in gross monthly income as required by § 273.12.

7 C.F.R § 273.10(c)(1) (ii) provides the following: Income received during the past 30 days shall be used as an indicator of the income that is and will be available to the household during the certification period. However, the State agency shall not use past income as an indicator of income anticipated for the certification period if changes in income have occurred or can be anticipated. If income fluctuates to the extent that a 30-day period alone cannot provide an accurate indication of anticipated income, the State agency and the household may use a longer period of past time if it will provide a more accurate indication of anticipated fluctuations in future income. Similarly, if the household's income fluctuates seasonally, it may be appropriate to use the most recent season comparable to the certification period, rather than the last 30 days, as one indicator of anticipated income. The State agency shall exercise particular caution in using income from a past season as an indicator of income for the certification period. In many cases of seasonally fluctuating income, the income also fluctuates from one season in one year to the same season in the next year. However, in no event shall the State agency automatically attribute to the household the amounts of any past income. The State agency shall not use past income as an indicator of anticipated income when changes in income have occurred or can be anticipated during the certification period.

7 C.F.R § 273.10(c)(2)(i) provides the following: *Income only in month received.* Income anticipated during the certification period shall be counted as income only in the month it is expected to be received, unless the income is averaged. Whenever a full month's income is anticipated but is received on a weekly or biweekly basis, the State agency shall convert the income to a monthly amount by multiplying weekly amounts by 4.3 and biweekly amounts by 2.15, use the State Agency's PA conversion standard, or use the exact monthly figure if it can be anticipated for each month of the certification period. Nonrecurring lump-sum payments shall be counted as a resource starting in the month received and shall not be counted as income.

7 C.F.R § 273.10(c)(3)(i) provides the following: *Income averaging*. Income may be averaged in accordance with methods established by the State agency to be applied Statewide for categories of households. When averaging income, the State agency shall use the household's anticipation of monthly income fluctuations over the certification period. An average must be recalculated at recertification and in response to changes in income, in accordance with § 273.12(c), and the State agency shall inform the household of the amount of income used to calculate the allotment. Conversion of income received weekly or biweekly in accordance with paragraph (c)(2) of this section does not constitute averaging.

The Department complied with the Federal Regulations and correctly converted the Appellant's [REDACTED] gross wages to monthly averages.

The Department correctly applied the following *standardized calculations*:

[REDACTED] : 24 hours per week x \$15.63 per hour = \$375.12 weekly x 4.3 weeks per month = \$1,613.02 per month.

[REDACTED] : 16 hours per week x \$16 per hour = \$256 weekly x 4.3 weeks per month = \$1,100.80 per month.

\$1,613.02 per month from [REDACTED] + \$1,100.80 per month from [REDACTED] = \$2,713.82 per month total income.

15.7 C.F.R § 273.9(a) provides the following: *Income eligibility standards*. Participation in the Program shall be limited to those households whose incomes are determined to be a substantial limiting factor in permitting them to obtain a more nutritious diet. Households which contain an elderly or disabled member shall meet the net income eligibility standards for SNAP. Households which do not contain an elderly or disabled member shall meet both the net income eligibility standards and the gross income eligibility standards for SNAP. Households which are categorically eligible as defined in § 273.2(j)(2) or 273.2(j)(4) do not have to meet either the gross or net income eligibility standards. The net and gross income eligibility standards shall be based on the Federal income poverty levels established as provided in section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2)).

7 C.F.R § 273.9(a)(1)(i) provides the following: The gross income eligibility standards for SNAP shall be as follows: The income eligibility standards for the 48 contiguous States and the District of Columbia, Guam and the Virgin Islands shall be 130 percent of the Federal income poverty levels for the 48 contiguous States and the District of Columbia.

7 C.F.R § 273.9(a)(2)(i) provides the following: The net income eligibility standards for SNAP shall be as follows: The income eligibility standards for the 48 contiguous

States and the District of Columbia, Guam and the Virgin Islands shall be the Federal income poverty levels for the 48 contiguous States and the District of Columbia.

7 C.F.R § 273.9(a)(3) provides the following: The income eligibility limits, as described in this paragraph, are revised each October 1 to reflect the annual adjustment to the Federal income poverty guidelines for the 48 States and the District of Columbia, for Alaska, and for Hawaii. (i) 130 percent of the annual income poverty guidelines shall be divided by 12 to determine the monthly gross income standards, rounding the results upwards as necessary. For households greater than eight persons, the increment in the Federal income poverty guidelines is multiplied by 130 percent, divided by 12, and the results rounded upward if necessary. (ii) The annual income poverty guidelines shall be divided by 12 to determine the monthly net income eligibility standards, rounding the results upward as necessary. For households greater than eight persons, the increment in the Federal income poverty guidelines is divided by 12, and the results rounded upward if necessary. (4) The monthly gross and net income eligibility standards for all areas will be prescribed in tables posted on the FNS web site, at www.fns.usda.gov/snap.

The Department complied with the Federal Regulations and correctly determined the household was subject to pass the gross income test followed by the net income limit test as the Appellant is not elderly and she has not been determined to be disabled [REDACTED].

The monthly gross income limit for a SNAP household size of one individual as of [REDACTED] 2022 was \$1,986 per month.

The Department correctly determined the Appellant's combined gross monthly income exceeded the gross income limit. Therefore, the net income test was not assessed.

16.7 C.F.R § 273.10(g)(1)(ii) provides the following: *Notice of denial*. If the application is denied, the State agency shall provide the household with written notice explaining the basis for the denial, the household's right to request a fair hearing, the telephone number of the SNAP office (a toll-free number or a number where collect calls will be accepted for households outside the local calling area), and, if possible, the name of the person to contact for additional information. If there is an individual or organization available that provides free legal representation, the notice shall also advise the household of the availability of the service. A household which is potentially categorically eligible but whose SNAP application is denied shall be asked to inform the State agency if it is approved to receive PA and/or SSI benefits or benefits from a State or local GA program. In cases where the State agency has elected to use a notice of denial when a delay was caused by the household's failure to take action to complete the application process, as provided in § 273.2(h)(2), the notice of denial shall also explain: The action that the household must take to reactivate the application; that the case will be reopened without a new application if

action is taken within 30 days of the date the notice of denial was mailed; and that the household must submit a new application if, at the end of the 30-day period, the household has not taken the needed action and wishes to participate in the program. If the State agency chooses the option specified in § 273.2(h)(2) of reopening the application in cases where verification is lacking only if household provides verification within 30 days of the date of the initial request for verification, the State agency shall include on the notice of denial the date by which the household must provide the missing verification.

On [REDACTED] 2022, the Department complied with Federal Regulation and correctly issued the Appellant a NOA closing the SNAP effective [REDACTED] 2022, as the Appellant’s combined total gross income of \$2,713.82 per month from her two employers is more than the limit of \$1,986 per month for a household size of one individual.

The Department correctly closed the SNAP due to excess income.

DISCUSSION:

The Appellant testified that she has been diagnosed with several medical conditions that include but are not limited to [REDACTED]. The Department advised the Appellant may benefit from the assistance of an appointed authorized representative and or a social worker. There is no evidence to support this information was disclosed to the Department at the time of renewal. If the Appellant reapplies for benefits, it is recommended that the Department explore the Appellant’s current disability status, impairments, need for accommodation(s), extra help, and or assistance. Furthermore, depending on the findings, it *may* be appropriate for the Department to send a referral to the Department’s medical review team, Colonial Cooperative Care (aka “CCC”) for a disability status review as it *may* impact the Appellant’s eligibility for the SNAP.

DECISION:

The Appellant’s appeal is **DENIED**.

Jessica Gulianello

**Jessica Gulianello
Hearing Officer**

CC: Shahar Thadal-SSOM, Carmen Ferrer
Department of Social Services, [REDACTED] DO 32

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 §4-1181a (a) of the Connecticut General Statutes.

Reconsideration requests should include specific grounds for the request: for example, indicate what error of fact or law, 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 with 45 days of the mailing of this decision, or 45 days after the agency denies 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 06105-3725. 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 her 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.