STATE OF CONNECTICUT DEPARTMENT OF SOCIAL SERVICES OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS 55 FARMINGTON AVENUE HARTFORD, CT 06105-3730

2022 Signature Confirmation

Case ID # Client ID # Request # 198123

NOTICE OF DECISION PARTY



PROCEDURAL BACKGROUND

On 2022, the Department of Social Services (the "Department") issued a notice of action to 2022, the "Appellant") granting her Supplemental Nutrition Assistance Program ("SNAP") benefits effective 2022, for \$160.00.
On 2022, the Appellant requested an administrative hearing to contest the Department's determination of the effective date of her SNAP assistance.
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, 17b-61, and 4-176e to 4-184, nclusive, of the Connecticut General Statutes, OLCRAH held an administrative hearing by telephone

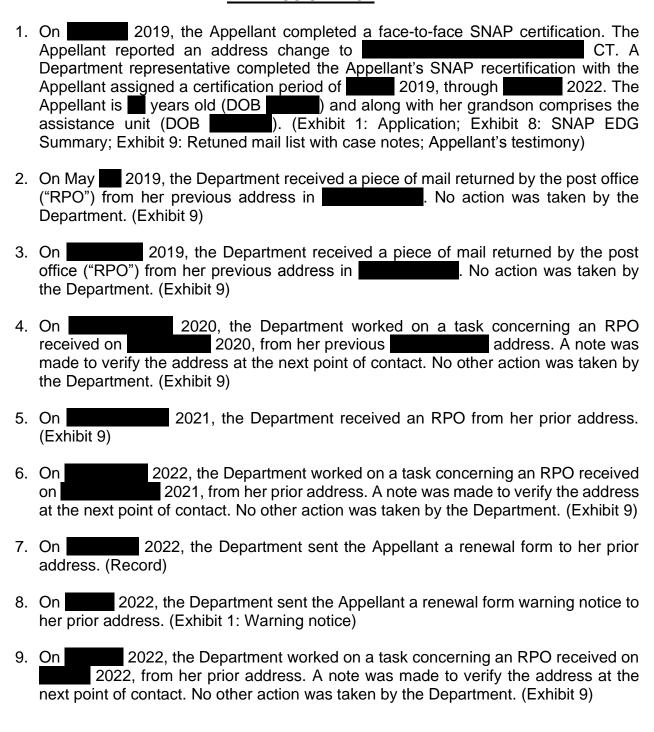
The following individuals called in for the hearing:

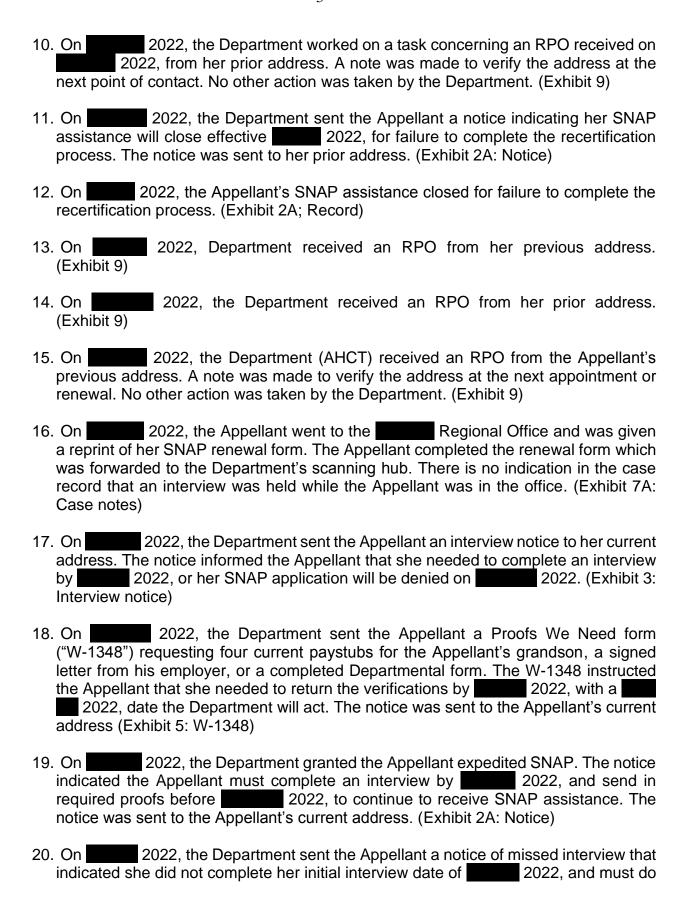
Appellant
Rose Montinat, Department's Representative
Christopher Turner, Hearing Officer

STATEMENT OF THE ISSUE

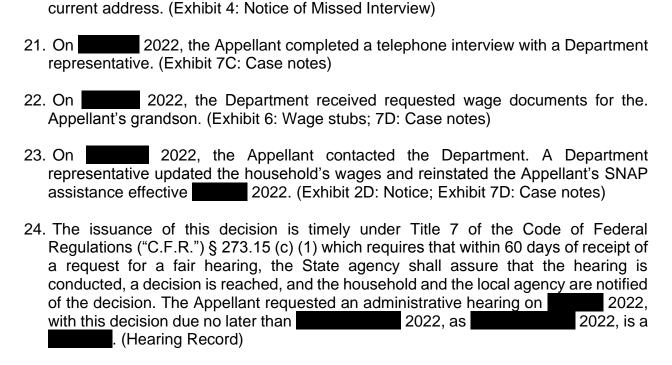
The issue is whether the Department correctly determined the effective date of the Appellant's SNAP assistance.

FINDINGS OF FACT





so before the denial date of 2022. The notice was sent to the Appellant's



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 (7) the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.

The Department has the authority to review the Appellant's SNAP application for recertification and determine whether her household meets the program's eligibility requirements.

- 2. 7 C.F.R. § 273.13 (a) provides that to any action to reduce or terminate a household's benefits within the certification period, the State agency shall, except as provided in paragraph (b) of this section, provide the household timely and adequate advance notice before the adverse action is taken.
 - 7 C.F.R. § 273.13 (a)(1) provides that the notice of adverse action shall be considered timely if the advance notice period conforms to that period defined by the State agency as an adequate notice period for its public assistance caseload, provided that the period includes at least 10 days from the date the notice is mailed to the date upon which the action becomes effective. Also, if the adverse notice period ends on a weekend or holiday, and a request for a fair hearing and continuation of benefits is received the day after the weekend or holiday, the State agency shall consider the request timely received.

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.

7 C.F.R. § 273.14(b)(1)(i) provides that 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.

7 C.F.R. § 273.14(b)(1)(ii) provides in relevant part that each State agency shall develop a notice of expiration (NOE). The NOE must contain the following: (A) The date the certification period expires; (B) The date by which a household must submit an application for recertification in order to receive uninterrupted benefits; (C) The consequences of failure to apply for recertification in a timely manner; (D) Notice of the right to receive an application form upon request and to have it accepted as long as it contains a signature and a legible name and address; (I) Notice that failure to attend an interview may result in delay or denial of benefits; and (J) Notice that the household is responsible for rescheduling a missed interview and for providing required verification information.

The Appellant's certification period was 2019, through 2022. The Department failed to send the Appellant her 2022, application for 2022, notice of adverse action to her current recertification and the address. The Department's determination of the effective date of the Appellant's eligibility for 2022 SNAP benefits was incorrect. The Appellant is eligible for SNAP effective 2022, and ongoing since the Department incorrectly discontinued the Appellant's SNAP benefits effective 2022, since the Department did not properly notify the Appellant of the recertification requirement and it did not send the application for recertification to her correct address even after the Appellant reported and verified her new address during 2019, face to face recertification interview at the

DECISION

The Appellant's appeal is granted.

ORDER

The Appellant is due the difference between the amount issued for 2022 and 2022 and the full months SNAP benefit for both.

Proof of compliance is due by 2022, and will consist of a copy of the Appellant's benefit issuance history.

Christopher Turner Hearing Officer

Cc: Josie Savastra, Operations Manager Hartford Lindsey Collins, Operations Manager Hartford Rose Montinat, DSS Hartford

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, law, and 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 <u>specific</u> grounds for the request: for example, indicate <u>what</u> error of fact or law, <u>what</u> new evidence, or <u>what</u> 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 within 45 days of the mailing of this decision, or 45 days after the agency denies a petition for reconsideration of this decision if 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 to 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.