

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 ID # ██████████  
Client ID # ██████████  
Request # 199493

**NOTICE OF DECISION**

**PARTY**

██████████  
██████████

**PROCEDURAL BACKGROUND**

On ██████████ 2022, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a notice of action discontinuing her Supplemental Nutrition Assistance Program (“SNAP”) assistance due to failure to provide requested information.

On ██████████ 2022, the Appellant requested an administrative hearing to contest the closure 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, inclusive, of the Connecticut General Statutes, OLCRAH held an administrative hearing.

The following individuals participated in the hearing:

██████████ Appellant  
Stacy Fappiano, Department’s Representative  
Joseph Davey, Hearing Officer, and Observer  
Christopher Turner, Hearing Officer

**STATEMENT OF THE ISSUE**

The issue is whether the Department correctly discontinued the Appellant's SNAP assistance for failure to provide information.

### **FINDINGS OF FACT**

1. On [REDACTED] 2022, the Appellant submitted an online renewal for SNAP benefits for herself, her child, and her mother. (Exhibit 1: Application)
2. On [REDACTED] 2022, the Department received a copy of the Appellant's [REDACTED] state divorce decree and self-employment information. (Record)
3. On [REDACTED] 2022, the Appellant provided partial information to the Department. (Record)
4. On [REDACTED] 2022, the Department sent the Appellant a notice of action approving the Appellant's SNAP assistance for the period of [REDACTED] 2022, through [REDACTED] 2023. (Exhibit 6: Notice)
5. On [REDACTED] 2022, the Department sent the Appellant A Proofs We Need form ("W-1348") requesting the following information: Verification of household composition; Financial Aid from [REDACTED]; Support documents. An [REDACTED], 2022, due date was given for the return of requested verifications. (Exhibit 7: W-1348)
6. On [REDACTED] 2022, the Department received partial verifications from the Appellant. (Exhibit 7: Verifications; Exhibit 10)
7. On [REDACTED] 2022, the Department sent the Appellant a notice discontinuing her SNAP assistance effective [REDACTED] 2022, for failure to provide requested verifications. (Exhibit 9: Notice)
8. On [REDACTED] 2022, the Appellant uploaded the requested verifications to the Department's online portal. (Exhibit 16: Child Support documents; Exhibit 17: Loan documents; Exhibit 18: [REDACTED] information)
9. On [REDACTED] 2022, the day of the hearing, the Appellant brought the requested child support and personal loan information to the hearing that she previously submitted on [REDACTED] 2022, online. As a result of this action, the Appellant was regranted SNAP effective [REDACTED] 2022. (Exhibit 19: Pending Casework Tasks)
10. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.15 (c) (1) which requires that within 60 days of receipt of a request for a fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and the local agency are notified of the decision. The Appellant requested an administrative hearing on [REDACTED], 2022, with this decision due no later than [REDACTED] 2022. (Hearing Record)

### **CONCLUSIONS OF LAW**

1. Connecticut General Statutes § 17b-2 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. § 273.14(b)(2) provides in relevant part that 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 another 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.

7 C.F.R. § 273.2(d) (1) provides in relevant part that to determine eligibility, the application form must be completed and signed, the household or its authorized representative must be interviewed, and certain information on the application must be verified.

**The Department received the Appellant's application for recertification on [REDACTED] 2022, and on [REDACTED] 2022, certified the Appellant's household for the period of [REDACTED] 2022, through [REDACTED] 2023.**

3. 7 C.F.R. § 273.12(c)(3) provides for unclear Information. During the certification period, the State agency might obtain unclear information about a household's circumstances from which the State agency cannot readily determine the effect on the household's continued eligibility for SNAP, or in certain cases benefit amounts. The State agency may receive such unclear information from a third party. Unclear information is information that is not verified or information that is verified but the State needs additional information to act on the change.

7 C.F.R. § 273.12(c)(3) (i) provides the State agency must pursue clarification and verification (if applicable) of household circumstances using the following procedure if unclear information received outside the periodic report is: Fewer than 60 days old relative to the current month of participation; and would, if accurate, have been required to be reported under the requirements that apply to the household under 273.12 based on the reporting system to which they have been assigned. Additionally, the State agency must pursue clarification and verification (if applicable) of household circumstances using the following procedure for any unclear information that appears to present significantly conflicting information from that used by the State agency at the time of certification. The procedures for unclear information regarding matches described in §272.13 or §272.14 are found in paragraph (iii) of this section.

7 C.F.R. § 273.12(c)(3)(i)(A) provides the State agency shall issue a written request

for contact (RFC) which clearly advises the household of the verification it must provide or the actions it must take to clarify its circumstances, which affords the household at least 10 days to respond and to clarify its circumstances, either by telephone or by correspondence, as the State agency directs, and which states the consequences if the household fails to respond to the RFC.

7 C.F.R. § 273.12(c)(3) (i) (B) provides if the household does not respond to the RFC or does respond but refuses to provide sufficient information to clarify its circumstances, the State agency must issue a notice of adverse action as described in §273.13. The State has two options: 1. The State agency may elect to send a notice of adverse action that terminates the case, explains the reasons for the action and advises the household of the need to submit a new application if it wishes to continue participating in the program; or 2. Alternatively, the State agency may elect to issue a notice of adverse action that suspends the household for one month before the termination becomes effective, explains the reasons for the action, and advises the household of the need to submit new information if it wishes to continue participating. If the household responds satisfactorily to the RFC during the period of suspension, the State agency must reinstate the household without requiring a new application, issue the allotment for the month of suspension, and if necessary, adjust the household's participation with a new notice of adverse action.

7 C.F.R. § 273.12(c)(3) (C) provides if the household responds to the RFC and provides sufficient information, the State agency must act on the new circumstances in accordance with paragraphs (c)(1) or (c)(2) of this section, as appropriate.

**The Department correctly issued the Appellant an RFC.**

**The Department correctly determined that the Appellant did not submit all the requested verifications listed on the RFC (W-1348) sent on [REDACTED] 2022, and allowed the Appellant 13 days before sending a closure notice on [REDACTED] 2022.**

**The Department was correct when it discontinued the Appellant's SNAP assistance effective [REDACTED] 2022, and when it reinstated the Appellant's SNAP assistance on [REDACTED] 2022, and ongoing after receipt of requested verifications.**

**DECISION**

The Appellant's appeal is denied.

*Christopher Turner*  
Christopher Turner  
Hearing Officer

Cc: Rachel Anderson, Operations Manager, New Haven  
Mathew Kalarickal, Operations Manager, New Haven  
Stacy Fappiano, DSS New Haven

### **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 requested 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 the 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 the 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. 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 per §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.