

STATE OF CONNECTICUT  
DEPARTMENT OF SOCIAL SERVICES  
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS  
55 FARMINGTON AVENUE  
HARTFORD, CT 06105-3725

██████████ 2023  
Signature Confirmation

Case # ██████████  
Client # ██████████  
Request # 205930

**NOTICE OF DECISION**

**PARTY**

██████████  
██████████  
██████████

**PROCEDURAL BACKGROUND**

On ██████████ 2022, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”), a Notice of Action (“NOA”) discontinuing the benefits under the Supplemental Nutrition Assistance Program (“SNAP”) effective ██████████ 2022, for failure to complete a redetermination.

On ██████████ 2022, the Appellant requested an Administrative Hearing to contest the discontinuance of the benefits under the SNAP.

On ██████████ 2022, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a notice scheduling an 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 participated in the hearing:

██████████ Appellant  
Nicole Palmach, Department’s Representative  
Jessica Gulianello, Hearing Officer

## STATEMENT OF THE ISSUE

The issue to be decided is whether the Department correctly discontinued the Appellant's Benefits under the SNAP, effective [REDACTED] 2022, for failure to complete a redetermination.

## FINDINGS OF FACT

1. The Department determined the Appellant to be eligible for benefits under the SNAP with the certification period beginning [REDACTED] 2021, through [REDACTED] 2022. (Exhibit 9: Notice of Renewal of Eligibility ("W-1ERL"), [REDACTED]/2022)
2. On [REDACTED] 2022, the Department issued the Appellant a W-1ERL with a Renewal of Eligibility Form ("W-1ER") form enclosed. The W-1ERL requested that the Appellant returned the enclosed W-1ER by mail or complete the online equivalent by [REDACTED] [REDACTED] 2022, to prevent a delay in the renewal process. The W-1ERL further informed the Appellant that the completed renewal form and all required proofs must be received by [REDACTED] 2022, or the benefits under the SNAP may stop. (Exhibit 9: W-1ERL, [REDACTED] 2022, W-1ER)
3. On [REDACTED] 2022, at [REDACTED] the Appellant submitted an online renewal ("ONRE") for the SNAP to the Department. The Department's eligibility management system, ("ImpaCT") auto-updated the received date of the ONRE to [REDACTED] [REDACTED] 2022. (Exhibit 3: ONRE, [REDACTED]/2022)
4. On [REDACTED] 2022, the Department reviewed the ONRE and conducted a telephone interview ("TI") with the Appellant. (Hearing Summary, Department's Testimony)
5. On [REDACTED] 2022, the Department issued the Appellant a Proofs We Need ("W-1348") requesting proof of [REDACTED] employment income as a [REDACTED] with a [REDACTED] Employment Income Verification form ("W-38") attached due by [REDACTED] 2022. (Exhibit 2: W-1348, [REDACTED] 2022)
6. On [REDACTED] 2022, the Department issued the Appellant a NOA. The NOA informed the Appellant that benefits under the SNAP were closed effective [REDACTED] [REDACTED] 2022. The NOA cited the following reasons for the closure: "Renewal process not completed", "No household members are eligible for this program", and "Does not meet program requirements". (Exhibit 4: NOA, [REDACTED]/2022)
7. On [REDACTED] 2022, the Department received invoices from the [REDACTED] addressed to the Appellant. (Exhibit 10: Case Note - [REDACTED]/2022, Hearing Summary, Department's Testimony)

8. On [REDACTED] 2022, the Department received the Appellant's request for an Administrative Hearing. (Exhibit 1: Hearing Request, [REDACTED]/2022)
9. On [REDACTED] 2022, the Department reviewed the Appellant's case in response to her request for an Administrative Hearing. The Department entered a delayed case note to recap the details of the TI that had been previously conducted on [REDACTED], 2022. The Department reinstated the benefits under the SNAP and left the case in pending status. (Exhibit 10: Case Note, [REDACTED]/2022)
10. On [REDACTED] 2022, the Department issued the Appellant a Worker Generated Request for Proofs ("W-1348M") requesting the following information due by [REDACTED] 2022: most recent tax returns to verify your [REDACTED] employment [REDACTED] with all pages of the tax return including the schedule [REDACTED] last four consecutive wage stubs from [REDACTED] or a letter from employer to confirm the last date worked if no longer employed, and last four consecutive wage stubs from [REDACTED] or a letter from the employer to confirm the last date worked if no longer employed. (Exhibit 8: W-1348M, [REDACTED]/2022)
11. On [REDACTED] 2022, the Department received additional documents from the Appellant. (Exhibit 12: ImpaCT Document Search, [REDACTED]/2022)
12. On [REDACTED] 2022, the Administrative Hearing proceedings were held. (Hearing Record)
13. On [REDACTED] 2022, the Appellant clarified that she is a [REDACTED] by [REDACTED] and an employee of the [REDACTED]. The Appellant stated that she had responded to the W-1348 and the W-1348M as issued by the Department. (Appellant's Testimony)
14. On [REDACTED] 2022, the Department had not yet reviewed the documentation that had been received from the Appellant on [REDACTED] 2022. (Department's Testimony)
15. On [REDACTED] 2022, the hearing proceedings closed. The hearing record, however, remained open until [REDACTED] 2022, with a request for the Department to review and process the documentation as well as provide an updated NOA to both the OLCRAH and the Appellant. The hearing record was further extended until [REDACTED] 2023, at the request of the Appellant to provide comment and rebuttal. (Hearing Record)
16. On [REDACTED] 2022, the Department reviewed the above-noted documentation. The Department updated the eligibility management system, ("ImpaCT"), completed the renewal, and authorized benefits under the SNAP. (Exhibit 10: Case Notes, [REDACTED]/2022)

17. On [REDACTED] 2022, the Department issued the Appellant an updated NOA. The NOA informed the Appellant that the Eligibility Determination Group (“EDG”) consisting of [REDACTED] individuals are approved for benefits under the SNAP beginning [REDACTED] 2022, through [REDACTED] 2023, in the amount of \$516 per month. (Exhibit 14: NOA, [REDACTED] 2022)
18. The OLCRAH did not receive a response or a rebuttal from the Appellant. (Hearing Record)
19. The issuance of this decision is timely under Connecticut General Statutes 17b-61(a), 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] 2022. 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 additional information until [REDACTED] 2023, at the Appellant’s request. Because this [REDACTED]-day delay in the close of the hearing record arose from the Appellant’s request, this final decision is not due until [REDACTED] 2022, and is therefore timely. (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.
2. Uniform Policy Manual (“UPM”) § 1570.25 (c)(2)(k) provides that the Fair Hearing Official renders a Fair Hearing decision in the name of the Department, in accordance with the Department’s policies and regulations. The Fair Hearing decision is intended to resolve the dispute.
3. UPM § 1570.25(F)(1) provides that the Department must consider several types of issues at an administrative hearing, including the following:
  - a. eligibility for benefits in both initial and subsequent determinations

**The Department has approved the Appellant’s request for benefits under the SNAP effective [REDACTED] 2022. Thus, the Appellant has not experienced any loss of benefits under the SNAP.**

The Appellant's hearing issue has been resolved, therefore, there is no issue on which to rule. "When the actions of the parties themselves cause a settling of their differences, a case becomes moot." McDonnell v. Maher, 3 Conn. App. 336 (Conn. App. 1985), citing, Heitmuller v. Stokes, 256 U.S. 359, 362-3, 41 S.Ct. 522, 523-24, 65 L.Ed. 990 (1921). The service which the Appellant had originally requested has been approved; there is no practical relief that can be afforded through an administrative hearing.

**DECISION**

The Appellant's appeal is **DISMISSED AS MOOT.**

*Jessica Gulianello*

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Hearing Officer

CC: Nicole Palmbach, Tonya Beckford, Department of Social Services, Willimantic Regional Office (DO 42)

### **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.