

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

[REDACTED]  
Signature Confirmation

CASE # [REDACTED]  
CLIENT # [REDACTED]  
REQUEST # 206111

**NOTICE OF DECISION**  
**PARTY**

[REDACTED]  
[REDACTED]  
[REDACTED]

**PROCEDURAL BACKGROUND**

On [REDACTED], the Department of Social Services (the "Department") issued a notice of action to [REDACTED] (the "Appellant") denying her Supplemental Nutrition Assistance Program ("SNAP") application because she failed to complete the required interview and did not meet program requirements.

On [REDACTED], the Appellant requested an administrative hearing to contest the discontinuance of her SNAP assistance.

On [REDACTED], the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") issued a notice scheduling the administrative hearing for [REDACTED]  
[REDACTED]

On [REDACTED], in accordance with sections 17b-60, 17-61, and 4-176e to 4-184 inclusive of the Connecticut General Statutes, OLCRAH held an administrative hearing by telephonic conferencing.

The following individuals participated in the hearing:

[REDACTED], Appellant  
Princess O'Reggio, Department's Representative  
Sara Hart, Hearing Officer

## **STATEMENT OF THE ISSUE**

The issue is whether the Department correctly denied the Appellant's SNAP application.

## **FINDINGS OF FACT**

1. On [REDACTED], the Appellant submitted an online SNAP application ("ONAP") for a household of one member. (*Exhibit 1: Online Application, Exhibit 2: Case Notes*)
2. The Appellant reported [REDACTED] [REDACTED] [REDACTED] [REDACTED]" as her Authorized Representative ("AREP") on her ONAP and indicated the AREP's address as [REDACTED] [REDACTED]. The ONAP did not include a phone number for the appointed AREP. (*Exhibit 1*)
3. On [REDACTED], the Department reviewed the Appellant's ONAP and issued an Interview Notice to the Appellant. The notice provided an Interview Due Date of [REDACTED], and a Denial Date of [REDACTED]. The Notice further advised the Appellant to call the Department's Benefit Center to complete the interview or to set up a time for an in-office interview. The Notice stated, "Your application will be denied if you do not have your interview and send us all of the required proofs we asked for by the denial date." (*Exhibit 8: Interview Notice [REDACTED]*)
4. On [REDACTED], the Department sent the Appellant a Proofs We Need letter ("W1348") requesting the following information: proof of checking account balance, proof of shelter expenses – please provide a mortgage statement, proof of residency, proof of pension – please provide pension information, proof of burial fund or burial plot. The notice provided examples of acceptable documentation and gave a due date of [REDACTED]. The notice further advised the Appellant to contact the Department if she needed help or additional time to obtain the requested information. (*Exhibit 9: W1348 [REDACTED]*)
5. On [REDACTED] the Department issued the Appellant a Notice of Missed Interview and notified the Appellant that her SNAP application would be denied if she did not contact the Department to complete the interview and submit the required proofs by [REDACTED] (*Exhibit 7: Notice of Missed Interview [REDACTED]*)
6. There is no evidence in the hearing record that the Department issued a copy of the Interview Notice, W1348, or Notice of Missed Interview to the Appellant's appointed AREP. (*Hearing Record*)

7. On [REDACTED], the Appellant contacted the Department's Benefit Center via telephone. A Department representative spoke with the Appellant but failed to complete the SNAP interview. (*Exhibit 2, Appellant's Testimony, Department's Testimony*)
8. On [REDACTED], the Appellant provided all required verifications. (*Hearing Summary, Department's Testimony*)
9. The SNAP eligibility interview was not completed. (*Hearing Record, Department's Testimony*)
10. On [REDACTED], the Department issued a NOA to the Appellant denying her SNAP application for the following reasons: no household members are eligible for the program, failed to complete the required interview, and does not meet program requirements. (*Exhibit 3: NOA [REDACTED]*)
11. On [REDACTED] the Appellant requested an administrative hearing. (*Hearing Record*)
12. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.15(c)(1) which provides that the State agency shall issue a decision within 60 days of the date of the request for a hearing. The Appellant requested an administrative hearing on [REDACTED], therefore, this decision is due no later than [REDACTED]. (*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 to determine whether his household meets the program's eligibility requirements.**

2. 7 C.F.R. § 273.2(c)(4)(iv) provides for application date and states 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.

**The Department correctly determined the application date of [REDACTED].**

3. 7 C.F.R. § 273.2(n) provides the following: *Authorized representatives.* Representatives may be authorized to act on behalf of a household in the application process, in obtaining SNAP benefits, and in using SNAP benefits.

7 C.F.R. § 273.2(n)(1) provides the following: *Application processing and reporting.* The State agency shall inform applicants and prospective applicants that indicate that they may have difficulty completing the application process, that a nonhousehold member may be designated as the authorized representative for application processing purposes. The household member or the authorized representative may complete work registration forms for those household members required to register for work. The authorized representative designated for application processing purposes may also carry out household responsibilities during the certification period, such as reporting changes in the household's income or other household circumstances in accordance with §§ 273.12(a) and 273.21. Except for those situations in which a drug and alcohol treatment center or other group living arrangement acts as the authorized representative, the State agency must inform the household that the household will be held liable for any overissuance that results from erroneous information given by the authorized representative.

7 C.F.R. § 273.2(n)(1)(i) provides the following: A nonhousehold member may be designated as an authorized representative for the application process provided that the person is an adult who is sufficiently aware of relevant household circumstances and the authorized representative designation has been made in writing by the head of the household, the spouse, or another responsible member of the household. Paragraph (n)(4) of this section contains further restrictions on who can be designated an authorized representative.

**The Appellant appointed a nonhousehold member to assist with the SNAP application process. The Department failed to recognize the Appellant's designated AREP.**

4. 7 C.F.R. § 273.2(e)(1) provides in relevant part for interviews and states that 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. 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.

7 C.F.R. § 273.2(e)(3) provides the State agency must schedule an interview for all applicant households who are not interviewed on the day they submit their applications. To the extent practicable, the State agency must schedule the interview to accommodate the needs of groups with special circumstances, including working households. The State agency must schedule all interviews as promptly as possible to insure eligible households receive an opportunity to participate within 30 days after the application is filed. The State agency must notify each household that misses its

interview appointment that it missed the scheduled interview and that the household is responsible for rescheduling a missed interview. If the household contacts the State agency within the 30 day application processing period, the State agency must schedule a second interview. The State agency may not deny a household's application prior to the 30th day after application if the household fails to appear for the first scheduled interview. If the household requests a second interview during the 30-day application processing period and is determined eligible, the State agency must issue prorated benefits from the date of application.

7 C.F.R. § 273.2(e)(2) provides 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 was required to complete an interview. The Department correctly issued an Interview Notice advising the Appellant of the required telephone interview and due date and correctly issued a Notice of Missed Interview; however, the Department failed to issue a copy of the Interview Notice and Notice of Missed Interview to the Appellant's designated AREP.**

5. 7 C.F.R. § 273.2(f)(1)(i) provides for mandatory verification of income. State agencies shall verify the following information prior to certification for households initially applying:
  - i. *Gross nonexempt income.* Gross nonexempt income shall be verified for all households prior to certification.

7 C.F.R. § 273.2(f)(2)(i) provides in relevant part for verification of questionable information. 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.

7 C.F.R. § 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.

7 C.F.R. § 273.2(h)(1)(i)(C) provides for in cases where verification is incomplete, the State agency must have provided the household with a statement of required verification and offered to assist the household in obtaining required verification and allowed the household sufficient time to provide the missing verification. Sufficient time shall be at least 10 days from the date of the State agency's initial request for the particular verification that was missing.

The Department correctly determined the Appellant was required to verify her income and factors of eligibility.

The Department correctly issued the Appellant the W1348 *Proofs We Need* form on [REDACTED], requesting necessary verifications and correctly allowed 10 days for completion. The Department failed to issue a W1348 to the Appellant's AREP.

6. 7 C.F.R. § 273.2(g)(1) provides for the normal processing standard. The State agency shall provide eligible households that complete the initial application process an opportunity to participate as soon as possible, but no later than 30 calendar days following the date the application was filed.

7 C.F.R. § 273.2(g)(3) provides for denying the application and states households that are found to be ineligible shall be sent a notice of denial as soon as possible but not later than 30 days following the date the application was filed. If the household has failed to appear for a scheduled interview and has made no subsequent contact with the State agency to express interest in pursuing the application, the State agency shall send the household a notice of denial on the 30th day following the date of application.

The Department was required to complete the SNAP application processing by [REDACTED].

The Appellant correctly contacted the Department to complete her interview on [REDACTED], prior to the [REDACTED] denial date. The Department failed to interview the Appellant at that time and incorrectly issued a NOA on [REDACTED], denying the Appellant's SNAP application.

### DISCUSSION

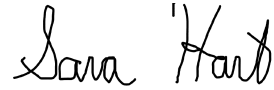
The Appellant requested an administrative hearing on [REDACTED]. The issue of this hearing is the Department's denial of the Appellant's SNAP application for failure to complete the interview and the Department's subsequent actions regarding the Appellant's [REDACTED], SNAP application do not fall within the scope of the hearing issue.

### DECISION

The Appellant's appeal is GRANTED.

**ORDER**

1. The Department shall reopen the Appellant's [REDACTED], SNAP application and continue processing to determine ongoing eligibility.
2. The Department shall update its records to reflect the Appellant's appointed AREP.
3. The Department shall provide the Appellant an opportunity to complete the SNAP interview and must issue an Interview Notice with an updated due date to both the Appellant and her AREP.
4. Compliance with this decision is due no later than [REDACTED].



---

Sara Hart  
Hearing Officer

CC: Princess O' Reggio, Department Representative, Bridgeport Regional Office  
Tim Latifi, Operations Manager, Bridgeport Regional Office  
Robert Stewart, Operations Manager, Bridgeport Regional 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, 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.

### **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.