

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

██████████  
██████████  
Request # 210650

**NOTICE OF DECISION**

**PARTY**

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██████████  
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**PROCEDURAL BACKGROUND**

On ██████████ 2023, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”), a Notice of Action (“NOA”) denying her application for Supplemental Nutrition Assistance Program (“SNAP”) benefits.

On ██████████ 2023, the Appellant requested an administrative hearing to contest the denial of SNAP benefits.

On ██████████, 2023, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a notice scheduling a telephonic administrative hearing for ██████████ 2023.

On March 6, 2023, in accordance with sections 17b-60, 17b-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  
Carmela Merritt, Department’s Representative  
Carla Hardy, Hearing Officer

**STATEMENT OF THE ISSUE**

The issue to be decided is whether the Department correctly denied the Appellant’s application for SNAP benefits on ██████████ 2023.

## FINDINGS OF FACT

1. On [REDACTED] 2022, the Appellant submitted an application on-line for SNAP benefits for a household of two, that included herself and her spouse. (Exhibit 2: Application; Exhibit 10: Case Notes; Hearing Summary)
2. The Appellant is employed with [REDACTED] and her spouse is employed with [REDACTED] [REDACTED] (Appellant's Testimony)
3. At the time of application, the Appellant reported that she was unable to work due to a medical condition. She also reported that her spouse is employed with [REDACTED] earning \$682.50 weekly. (Exhibit 2: On-line Application, [REDACTED]/22)
4. On [REDACTED] 2023, the Department notified the Appellant that she must complete an in-person or office interview by [REDACTED] 2023. The Department checked the CCC wage verification. The query showed the Appellant's spouse is active with [REDACTED] but was last paid on [REDACTED] 2022. (Exhibit 3: Interview Notice; Exhibit 10)
5. On [REDACTED] 2023, the Department reminded the Appellant of the interview requirement and that their records indicate that she did not complete the interview. (Exhibit 4: Notice of Missed Interview)
6. On [REDACTED] 2023, the Appellant completed the telephone interview. She reported her spouse is the only person working at this time. (Exhibit 10)
7. On [REDACTED] 2023, the Department requested proof of her spouse's earnings or verification of the date he last worked at [REDACTED]. The Department also requested proof that the Appellant is on medical leave and whether the medical leave is paid or unpaid. The verifications were due by [REDACTED] 2023. (Exhibit 5: Proofs We Need)
8. [REDACTED] is the same as [REDACTED]. (Appellant's Testimony)
9. The Appellant does not remember if she received the Proof's We Need document dated [REDACTED] [REDACTED] 2023. (Appellant's Testimony)
10. The Department mailed the Proofs We Need form to [REDACTED] in [REDACTED] [REDACTED] (Exhibit 5; Department's Testimony)
11. The address listed above is the Appellant's address of record. (Hearing Record)
12. On [REDACTED] 2023, the Department received the Appellant's letter from [REDACTED] disability and leave services indicating the Appellant was on unpaid leave from [REDACTED] 2022, to [REDACTED] [REDACTED] 2023. (Exhibit 7: Letter from [REDACTED]; Exhibit 10)
13. On [REDACTED], 2023, the Department denied the Appellant's application for SNAP because the Appellant failed to provide the required proofs by the date requested. (Exhibit 6: NOA, [REDACTED]/23)

14. On [REDACTED] 2023, the Appellant submitted her spouse's paystubs to the Department. (Appellant's Testimony)
15. The issuance of this decision is timely under the Code of Federal Regulations § 273.15 which states that a decision must be reached, and the household notified within 60 days of receipt of a request for a hearing. The Appellant requested an administrative hearing on [REDACTED] 2023. Therefore, this decision is due no later than [REDACTED] 2023.

### CONCLUSIONS OF LAW

1. Section 17b-2 of the Connecticut General Statutes authorizes the Commissioner of the Department of Social Services to administer the SNAP program in accordance with Federal law.

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

2. Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.2(a)(2) provides the application process includes filing and completing an application form, being interviewed, and having certain information verified. The State agency must act promptly on all applications and provide SNAP benefits retroactive to the month of application to those households that have completed the application process and have been determined eligible. States must meet application processing timelines, regardless of whether a State agency implements a photo EBT card policy. The State agency must make expedited service available to households in immediate need. Specific responsibilities of households and State agencies are detailed below.

**The Department correctly screened the Appellant's application as of [REDACTED] 2022.**

3. Title 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. The notice shall also inform the household of the State agency's responsibility to assist the household in obtaining the required verification provided the household is cooperating with the State agency as specified in (d)(1) of this section. The notice shall be written in clear and simple language and shall meet the bilingual requirements designated in § 272.4(b) of this chapter. At a minimum, the notice shall contain examples of the types of documents the household should provide and the period the documents should cover.

**The Department correctly issued the Appellant a Proofs We Need document, requesting information needed to establish eligibility.**

4. Title 7 C.F.R. § 273.2(f)(2) provides for verification of questionable information. (i) The State agency shall verify, before certification of the household, all other factors of eligibility that 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.

Title 7 C.F.R. § 273.2(f)(4) provides for sources of verification. (i) Documentary evidence. State agencies shall use documentary evidence as the primary source of verification for all items except residency and household size. These items may be verified either through readily available documentary evidence or a collateral contact, without a requirement being imposed that documentary evidence must be the primary source of verification. Documentary evidence consists of written confirmation of a household's circumstances. Examples of documentary evidence include wage stubs, rent receipts, and utility bills. Although documentary evidence shall be the primary source of verification, acceptable verification shall not be limited to any single type of document and may be obtained through the household or other source. Whenever documentary evidence cannot be obtained or is insufficient to make a firm determination of eligibility or benefit level, the eligibility worker may require collateral contacts or home visits. For example, documentary evidence may be considered insufficient when the household presents pay stubs that do not represent an accurate picture of the household's income (such as outdated pay stubs) or identification papers that appear to be falsified.

Title 7 C.F.R. § 273.2(f)(5)(i) provides for the responsibility of obtaining verification. The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information. The State agency must assist the household in obtaining this verification provided the household is cooperating with the State agency as specified under paragraph (d)(1) of this section. Households may supply documentary evidence in person, through the mail, by facsimile or another electronic device, or through an authorized representative. The State agency must not require the household to present verification in person at the SNAP office. However, the State agency must accept any reasonable documentary evidence provided by the household and must be primarily concerned with how adequately the verification proves the statements on the application. However, the State agency has primary responsibility for verifying fleeing felon and parole or probation violator status in accordance with § 273.11(n)...

**The Department correctly determined that the Appellant did not submit all the requested verification listed on the Proofs We Need form sent on [REDACTED] 2023.**

5. Title 7 C.F.R. § 273.2(g)(3) provides for denying the application. 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 household must file a new application if it wishes to participate in the program. In cases where the State agency was able to conduct an interview and request all of the necessary verification on the same day the application was filed, and no subsequent requests for verification have been made, the State agency may also deny the application on the 30th day if the State agency provided assistance to the household in obtaining verification as specified in paragraph (f)(5) of this section, but the household failed to provide the requested verification.

**The Department correctly denied the Appellant's application for SNAP benefits on [REDACTED] 2023, thirty days after the date of application, for failure to submit verification of her spouse's income.**

**DECISION**

The Appellant's appeal is **DENIED**.

\_\_\_\_\_  
*Carla Hardy*

Carla Hardy  
Hearing Officer

Pc: Sarah Chmielecki, Tim Latifi, Ralph Filek, Managers, New Haven Regional Office  
Carmela Merritt, Fair Hearing Liaison, New Haven 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 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.