

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

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

████████████████████  
████████████████████  
Request #: 212455

**NOTICE OF DECISION**

**PARTY**

████████████████████  
████████████████████  
████████████████████

**PROCEDURAL BACKGROUND**

On ██████████ 2023, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a Notice of Action (“NOA”) discontinuing her Supplemental Nutritional Assistance Program (“SNAP”) benefits effective ██████████ 2023, for failure to complete a redetermination.

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

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

On ██████████ 2023, the OLCRAH issued a notice, at the Appellant’s request, rescheduling the administrative hearing for ██████████ 2023.

On ██████████ 2023, the OLCRAH issued a notice, at the Appellant’s request, rescheduling the administrative hearing for ██████████, 2023.

On ██████████ 2023, 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 were present for the hearing:

██████████, Appellant  
Princess O'Reggio, the Department's Representative  
Maria Bernal, Department's Observer  
Amy MacDonough, Fair Hearing Officer

The hearing record remained open for the submission of additional evidence from the Department. On ██████████, 2023, the Department provided the requested information; case notes, notice of renewal, renewal warning notice, W-1ER, NOA from ██████████, 2023, and NOA from ██████████ 2023. The undersigned received the requested information, and the record closed ██████████ 2023.

### **STATEMENT OF THE ISSUE**

The issue is whether the Department correctly discontinued the Appellant's SNAP benefit effective ██████████ 2023, for failure to complete a redetermination.

### **FINDINGS OF FACT**

1. The Department determined the Appellant to be eligible for benefits under the SNAP program with the certification period beginning ██████████, 2020, through ██████████ 2023. (*Exhibit 5: Notice of Renewal of Eligibility, W-1ERL & W-1ER*)
2. The Appellant's household consists of one member, herself. (*Appellant's Testimony*)
3. On ██████████, 2023, the Department issued a NOA to the Appellant stating her SNAP benefit increased from \$23.00 to \$281.00 as of ██████████ 2023. The Department increased the SNAP benefit because the Appellant submitted medical expenses. (*Appellant's Testimony; Department's Testimony; Exhibit 9: Notice of Action*)
4. On ██████████ 2023, the Department issued a Notice of Renewal of Eligibility to the Appellant stating if we do not get the signed form by ██████████ 2023, the renewal process may be delayed. The notice also states you must submit the renewal by ██████████ 2023 to receive uninterrupted benefits. (*Exhibit 5*)
5. On ██████████ 2023, the Department issued a Warning Notice to the Appellant stating to keep getting your benefits without interruption, you must return the form to us by ██████████ 2023. (*Exhibit 6: Warning Notice*)
6. On ██████████ 2023, the Department issued a NOA discontinuing the Appellant's SNAP benefits effective ██████████ 2023, for the following reasons: renewal form was not submitted, renewal process not complete, no household members are eligible for this program, and does not meet program requirements. (*Exhibit 8: Notice of Action*)

7. On [REDACTED], 2023, the Department received a completed W-1ER form submitted by the Appellant. (*Exhibit 1: Case Notes; Exhibit 7: Notice of Renewal of Eligibility*)
8. On [REDACTED] 2023, the Department issued a NOA to the Appellant stating it approved her SNAP benefits as of [REDACTED], 2023, in the amount of \$23.00 each month. The Appellant's SNAP period of eligibility is [REDACTED] 2023, to [REDACTED], 2026. (*Exhibit 3: Notice of Action*)
9. The issuance of this decision is timely under Title 7 of 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 fair hearing. The Appellant requested an administrative hearing on [REDACTED] 2023. With the 44 delay days, this decision is due no later than [REDACTED] 2023.

### **CONCLUSIONS OF LAW**

1. Section 17b-2(7) 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 administer the SNAP.**

2. 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 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 explain the period of time the documents should cover.

#### **The Department correctly informed the Appellant of the SNAP recertification requirements.**

3. 7 C.F.R. § 273.14(a) provides the following: General. 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 eligibility households prior to the expiration of certification periods. Household must apply for recertification and comply with interview and verification requirements.

7 C.F.R. § 273.14(b)(2) provides 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 other 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. The provisions of § 273.2(c)(7) regarding acceptable signatures on applications also apply to applications used at recertification. The recertification process can only be used for those households which apply for recertification prior to the end of their current certification period, except for delayed applications as specified in paragraph (e)(3) of this section. The process, at a minimum, must elicit from the household sufficient information that, when added to information already contained in the casefile, will ensure an accurate determination of eligibility and benefits. The State agency must notify the applicant of information which is specified in § 273.2(b)(2), and provide the household with a notice of required verification as specified in § 273.2(c)(5).

**The Department correctly sent the Appellant an application for recertification of SNAP benefits on [REDACTED] 2023.**

4. 7 C.F.R. § 273.14(b)(1)(i) provides for notice of expiration and states 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 part that each State agency shall develop a 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.

**The Department correctly issued the Appellant notices informing her of the certification period expiration date, due date for recertification and consequences for failure to complete the recertification process timely.**

5. 7 C.F.R. § 273.14(e)(2) provides the following: if a household files an application before the end of the certification period, but fails to take a required action, the State agency may deny the case at that time, at the end of the certification period, or at the end of 30 days. Notwithstanding the State's right to issue a denial prior to the end of the certification period, the household has 30 days after the end of the certification period to complete the process and have its application be treated as an application for recertification. If the household takes the required action before the end of the certification period, the State agency must reopen the case and provide a full month's benefits for the initial month of the new certification period. If the household takes the required action after the end of the certification period but within 30 days after the end of the certification period, the State agency shall reopen the case and provide benefits

retroactive to the date the household takes the required action. The State agency shall determine cause for any delay in processing a recertification application in accordance with the provisions of § 273.3(h)(1).

The Department received the Appellant's renewal form on [REDACTED] 2023, within her original certification period.

The Department correctly approved the Appellant's SNAP benefits effective [REDACTED] 2023, the beginning date of her new renewal period.

### DISCUSSION

Prior to the hearing date of [REDACTED], 2023, the Department processed the Appellant's SNAP renewal and issued benefits from the date of closure. The Appellant did not experience any loss of benefits for the month of [REDACTED] 2023. The Department issued the full SNAP benefit of \$23.00 for [REDACTED], 2023, and ongoing.

### DECISION

The Appellant's appeal is DENIED.

  
Amy MacDonough  
Fair Hearing Officer

CC: Annjerry Garcia, Operations Manager, DSS, Bridgeport Regional Office  
Robert Stewart, Operations Manager, DSS, Bridgeport Regional Office  
Jamel Hilliard, Operations Manager, DSS, Bridgeport Regional Office  
Princess O'Reggio, Hearing Liaison, DSS, 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 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.