

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 ID # ██████████  
Client ID # ██████████  
Request #214251

**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 Nutrition Assistance Program ("SNAP") benefits, effective ██████████ 2023.

On ██████████, 2023, the Appellant requested an administrative hearing to contest the Department's decision to discontinue such benefits.

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

On ██████████ 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 were present at the hearing:

██████████, Appellant  
Shaun Monahan, Department's Representative  
Scott Zuckerman, Hearing Officer

A separate hearing decision will be issued to address whether the Department correctly discontinued the Appellant's TFA benefits effective [REDACTED] 2023.

### **STATEMENT OF THE ISSUE**

The issue to be decided is whether the Department's decision to discontinue the Appellant's SNAP benefits for failure to complete the renewal process is correct.

### **FINDINGS OF FACT**

1. On [REDACTED] 2023, the Department received the Appellant's Renewal of Eligibility form dated [REDACTED] 2023, for a household of three, including the Appellant and her two children. (Hearing Summary and Exhibit 1: Case Notes)
2. On [REDACTED] [REDACTED] 2023, the Department reviewed the renewal. The Department attempted to contact the Appellant to conduct a SNAP telephone interview. (Hearing Summary, Exhibit 1: Case notes)
3. On [REDACTED] 2023, the Department mailed the Appellant an Interview Notice. The notice stated, "Now that we have your renewal form, we must interview you before the interview due date of [REDACTED] 2023. If we need any proofs from you, we will tell you during the interview." (Exhibit 2: Interview Notice)
4. On [REDACTED] 2023, the Department mailed the Appellant a W-1348, Proofs We Need form. The form requested all paystubs received from [REDACTED] from [REDACTED] 2022 to the present and verification of the last date of employment there if that job has ended. The due date for the proofs was [REDACTED] 2023. (Hearing Summary, Exhibit 4: W-1348, Proofs We Need, dated [REDACTED] 2023)
5. On [REDACTED] 2023, the Department mailed the Appellant a Notice of Missed Interview. The notice stated it was a reminder that you need to have an interview in order to keep getting SNAP benefits. The notice indicated the due date for the interview was [REDACTED] 2023, and there are no records to show an interview was completed. The notice stated to keep getting benefits without interruption, you must call the Department and have your interview by [REDACTED] 2023. (Exhibit 3: Notice of Missed Interview: [REDACTED] 2023)
6. On [REDACTED] 2023, the Department mailed the Appellant a Notice of Action. The notice stated the Appellant did not complete the renewal process and benefits will close effective [REDACTED] 2023. (Exhibit 6A: Notice of Action dated [REDACTED] 2023)

7. On [REDACTED] 2023, the Appellant contacted the Department and completed the telephone interview. The Department sent the Appellant a W-1348M, Worker Generated Request for Proofs. The Department requested verification of the last date of employment at [REDACTED] and [REDACTED] and verification she is not active with the [REDACTED]. The due date for the requested items was [REDACTED] 2023. (Exhibit 5: Worker Generated Request for Proofs [REDACTED] 2023)
8. The Department did not receive any of the requested items by the due date of [REDACTED] 2023, and SNAP benefits remained closed. (Department's testimony and Exhibit 8: Document Search)
9. 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 fair hearing. The Appellant requested an administrative hearing on [REDACTED] 2023. Therefore, this decision is due not later than [REDACTED] 2023. (Hearing Record)

### **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 in accordance with federal law.
2. Title 7 of the Code of Federal Regulations ("CFR") § 273.14(a) provides that 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 eligible households prior to the expiration of certification periods. Households must apply for recertification and comply with interview and verification requirements.

**The Department correctly notified the Appellant that she must complete the redetermination process by [REDACTED] 2023.**

7 C.F.R § 273.14(b)(2) provides the following: *Application*. 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).

7 C.F.R § 273.2(c)(7) provides the following: Signing an application or reapplication form. In this paragraph, the word “form” refers to applications and reapplications.

7 C.F.R § 273.2(c)(7)(i) provides the following: Requirement for a signature. A form must be signed to establish a filing date and to determine the State agency's deadline for acting on the form. The State agency shall not certify a household without a signed form.

**The Appellant complied with Federal Regulation by submitting an electronically signed online renewal form received by the Department on [REDACTED] 2023.**

3. 7 C.F.R. § 273.2(e) (2) provides the State agency may use a telephone 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 hardship conditions must include, but are not limited to, illness, transportation difficulties, care of a household member, hardships due to residency in a rural area, prolonged severe weather, or work or training hours that prevent the household from participating in an in-office interview. If a State agency has not already provided that a telephone interview will be used for a household and that household meets the State agency's hardship criteria and requests to not have an in-office interview, the State agency must offer to the household to conduct the interview by telephone. The State agency may provide a home-based interview only if a household meets the hardship criteria and requests one. A State agency that chooses to routinely interview households by telephone in lieu of the face-to-face interview must specify this choice in its State plan of operation and describe the types of households that will be routinely offered a telephone interview in lieu of a face-to-face interview. The State agency must grant a face-to-face interview to any household that requests one.

**The Appellant did not complete the SNAP telephone interview by the due date of [REDACTED] 2023.**

4. 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.

5. 7 C.F.R. § 273.2 (h) (i) (C) provides for 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 verification that was missing.

**The Department correctly sent the Appellant a W-1348 requesting information needed to establish eligibility beyond ██████████ 2023, and allowed 10 days to provide the information.**

6. 7 C.F.R. § 273.14 (e)(2) provides that 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 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 the 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 process a recertification application in accordance with the provisions of § 273.3(h)(1).

**On ██████████ 2023, the Department correctly discontinued the Appellant's SNAP benefits effective ██████████ 2023, because the Appellant did not submit the requested information by the end of the certification period.**

**DECISION**

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

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Scott Zuckerman  
Hearing Officer

Pc: Anjerry Garcia, Operations Manager, DSS, Bridgeport Regional Office  
Robert Stewart, Operations Manager, DSS, Bridgeport Regional Office  
Jamal Hilliard, Operations Manager, DSS, Bridgeport Regional Office  
Shaun Monahan, Fair 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.