

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

██████████ 2023
Signature confirmation

Case: ██████████
Client: ██████████
Request: 220487

NOTICE OF DECISION

PARTY

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

PROCEDURAL BACKGROUND

On ██████████ 2023, the Department of Social Services (the “Department”) issued ██████████ (the “Appellant”) a *Notice of Action* terminating her Supplemental Nutrition Assistance Program (“SNAP”) benefits.

On ██████████ 2023, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) received the Appellant’s telephoned request for an administrative hearing. On ██████████ 2023, the OLCRAH scheduled 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, and Section 273.15 (a) of Title 7 of the Code of Federal Regulations (“C.F.R.”), the OLCRAH held the hearing by videoconferencing. The following individuals participated:

██████████, Appellant
Bradley Wheeler, Department Representative
Eva Tar, Hearing Officer

The hearing record closed ██████████, 2023.

STATEMENT OF ISSUE

The issue is whether the Department’s termination of the Appellant’s SNAP benefits was supported by Federal regulations governing the SNAP.

FINDINGS OF FACT

1. The Appellant's SNAP certification ran from [REDACTED], 2022 through [REDACTED] 2023. (Dept. Exhibit 1)
2. On [REDACTED] 2023, the Department issued a *Notice of Renewal of Eligibility* to the Appellant requesting a completed SNAP renewal form, an interview, and proofs by [REDACTED] 2023 and cautioning her that her SNAP benefits may stop. (Dept. Exhibit 1)
3. On [REDACTED] 2023, the Department issued a *Warning Notice* to the Appellant that cautioned that in order for her to continue to receive SNAP benefits without interruption, she had to complete the form and return it by [REDACTED] 2023. If she did not return the form, complete an interview, and send in all proofs, the Department would terminate her SNAP benefits effective [REDACTED] 2023. (Dept. Exhibit 2)
4. After she received the [REDACTED] 2023 *Warning Notice*, the Appellant mailed a completed SNAP renewal form to the Department in a personal envelope; she did not use the enclosed envelope that was included with the renewal form. (Appellant Testimony)
5. From [REDACTED] 2023 through [REDACTED] 2023, the Department did not receive the Appellant's completed SNAP renewal form. (Dept. Exhibit 4)
6. The hearing record is silent as to whether the Appellant completed her interview by [REDACTED] 2023.
7. On [REDACTED] 2023, the Department issued a *Notice of Action* terminating the Appellant's SNAP benefits. (Dept. Exhibit 3)
8. Title 7, Section 273.15 (c)(1) of the Code of Federal Regulations ("C.F.R.") provides: "Within 60 days of receipt of a request for a fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and local agency are notified of the decision...." On [REDACTED] 2023, the OLCRAH received the Appellant's telephoned request for an administrative hearing; this hearing decision would have become due by no later than [REDACTED] 2023. This decision is timely.

CONCLUSIONS OF LAW

1. The Department is the state agency for the administration of the SNAP pursuant to the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008. Conn. Gen. Stat. § 17b-2.

The Department has the authority under State statute to administer the SNAP in Connecticut.

2. "As part of the recertification process, the State agency must conduct an interview with a member of the household or its authorized representative at least once every 12 months for households certified for 12 months or less. The provisions of [§ 273.2\(e\)](#) also apply to interviews for recertification...." 7 C.F.R. § 273.14 (b)(3).

It cannot be determined from the hearing record whether the Appellant complied with the SNAP interview requirement in accordance with 7 C.F.R. § 273.14 (b)(3).

3. Title 7, Code of Federal Regulations (“C.F.R.”), Section 273.14 (a) provides: “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. ... Households must apply for recertification and comply with interview and verification requirements.”

The Department correctly concluded that for the Appellant to continue to receive SNAP benefits after the expiration of her certification period on [REDACTED] 2023, the Appellant had to apply for recertification by filing the required form, complete an interview, and comply with verification requirements.

The Department’s termination of the Appellant’s SNAP benefits was supported by Federal regulations governing the SNAP, as the Department did not receive the Appellant’s completed SNAP renewal form by [REDACTED], 2023, the final day of the Appellant’s SNAP certification period.

The Appellant’s SNAP benefits terminated effective [REDACTED] 2023 in accordance with 7 C.F.R. § 273.14 (a) as her one-year certification period expired without the Department’s determination of eligibility for a new period.

DECISION

The Appellant’s appeal is DENIED.

Eva Tar
Hearing Officer

Cc: Bradley Wheeler, DSS-Norwich
Jessica Carroll, DSS-Norwich

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.