

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

██████████ 2024
Signature Confirmation

████████████████████
████████████████████
Request # 231446

NOTICE OF DECISION

PARTY

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████████████████████

PROCEDURAL BACKGROUND

On ██████████ 2023, the Department of Social Services (the “Department”) issued ██████████ (the “Appellant”) a notice of action (“NOA”) reducing the benefits under the Supplemental Nutrition Assistance Program (“SNAP”) from \$129.00 per month to \$93.00 per month effective ██████████ 2024.

On ██████████ 2024, the Appellant requested an Administrative Hearing to contest the calculation of the amount of benefits under the SNAP.

On ██████████ 2024, the Office of Legal Counsel, Regulations and Administrative Hearings (“OLCRAH”) issued the Appellant a notice scheduling the Administrative Hearing for ██████████ 2024.

On ██████████ 2024, 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 telephonically.

The following individuals participated in the hearing by phone:

████████████████████, Appellant
Claudene Reid, Department Representative
Jessica Gulianello, Hearing Officer

The hearing record remained open until the close of business on [REDACTED] 2024, to allow the Department time to submit additional information. Additional exhibits were received from the Department and the hearing record closed accordingly.

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department's calculation of the Appellant's amount of benefits under the SNAP is correct.

FINDINGS OF FACT

1. The Appellant had been approved for benefits under the SNAP for a certification period with a beginning date of [REDACTED] 2021, and an end date of [REDACTED] 2024. (*Exhibits 2A-2D: Federal SNAP Income Tests: [REDACTED]/2023-[REDACTED]/2024*)
2. On [REDACTED] 2023, the Department received a completed Notice of Renewal of Eligibility ("W-1ER") form signed by the Appellant. (*Exhibit 6: W-1ER signed & dated [REDACTED]/2023 - received on [REDACTED]/2023, Exhibit 10: ImpaCT Document Search Results, Department's Testimony*)
3. On [REDACTED] 2023, the Department reviewed the above-noted W-1ER renewal form to determine the Appellant's continued eligibility for benefits under the QMB [Qualified Medicare Beneficiaries] program. (*Exhibit 5: Case Notes dated [REDACTED]/2023*)
4. On the above-noted W-1ER renewal form, the Appellant reported the household remained comprised of three (3) individuals: the Appellant (DOB: [REDACTED]), and her two children: [REDACTED] (DOB [REDACTED]) and [REDACTED] (DOB: [REDACTED]). (*Exhibit 6: W-1ER signed & dated [REDACTED]/2023 – received on [REDACTED]/2023*)
5. The Appellant selected "no changes" to the household's unearned income listed as \$2,155.80 per month on the above-noted W-1ER form. (*Exhibit 6: W-1ER signed & dated [REDACTED]/2023 – received on [REDACTED]/2023*)
6. The Appellant selected "no changes" to the household's shelter expense listed as \$1,100.00 per month on the above-noted W-1ER form. (*Exhibit 6: W-1ER signed & dated [REDACTED]/2023 – received on [REDACTED]/2023*)
7. The Appellant's household is responsible to pay out-of-pocket utility expenses. (*Hearing Record*)
8. The Appellant and her minor son, [REDACTED] have been determined [REDACTED] by the Social Security Administration. (*Hearing Record*)

9. The Appellant's household does not incur out-of-pocket medical expenses over \$35.00 per month (*Appellant's Testimony*)
10. The Department calculated the household's total gross unearned income to be \$2,155.80 per month effective [REDACTED] 2023, based on the following countable income:

Individual:	Type:	Amount
[REDACTED]	Social Security [REDACTED] [REDACTED]	\$1,595.00
[REDACTED]	Child Support (CCSES)	\$423.80
[REDACTED]	[REDACTED] [REDACTED] Income [REDACTED]	\$137.00

$\$1,595.00 + \$423.80 + \$137.00 = \$2,155.80$ per month.

(*Exhibit 2C: Federal SNAP Income Test: [REDACTED]/2023, Exhibit 2D: Federal SNAP Income Test [REDACTED]/2023*)

11. The household comprised of three (3) individuals was determined to be eligible for benefits under the SNAP in the amount of \$488.00 per month for [REDACTED] 2023, and [REDACTED] 2023. (*Exhibit 2C: Federal SNAP Income Test: [REDACTED]/2023, Exhibit 2D: Federal SNAP Income Test [REDACTED]/2023*)
12. The Department received notification via BENDEX [an auto-interface with the Social Security Administration] that confirmed [REDACTED] was also receiving [REDACTED] benefits of \$797.00 per month (the hearing record is void of the notification date). The household's total countable unearned income increased from \$2,155.80 per month to \$2,952.80 per month ($\$2,155.80 + \$797.00 = \$2,952.80$). The increase in the household's total countable unearned income caused the benefits under the SNAP to decrease from \$488.00 per month for [REDACTED] 2023 to \$129.00 per month effective [REDACTED] 2023. (*Exhibit 2A: Federal SNAP Income Test [REDACTED]/2023*)
13. The Department subsequently received another auto-notification that verified the benefit amounts from the Social Security Administration were increasing effective

██████████ due to the cost-of-living adjustments (“COLAs”). (*Hearing Summary, Department’s Testimony*)

14. The Department calculated the household’s total gross unearned income to be \$3,032.80 per month effective ██████████ 2024, based on the following countable income:

Individual:	Type:	Amount
██████████	██████████	\$1,646.00 (formerly \$1,595.00)
██████████	Child Support (CCSES)	\$423.80 (no change)
██████████	██████████	\$140.00 (formerly \$137.00)
██████████	██████████	\$823.00 (formerly \$797.00)

$\$1,646.00 + \$423.80 + \$140.00 + \$823.00 = \$3,032.80$ per month.

(*Exhibit 2B: Federal SNAP Income Tests ██████████ 2024*)

15. On ██████████ 2023, the Department issued the Appellant a NOA. The NOA informed the Appellant that the benefits under the SNAP for the household comprised of three (3) individuals were decreasing from \$129.00 per month for ██████████ 2023, to \$93.00 per month effective ██████████ 2024. (*Exhibit 3: NOA dated ██████████/2023*)
16. The Department is not counting earned income in the computation of the household’s eligibility for benefits under the SNAP. (*Exhibit 2A-2D: Federal SNAP Income Tests: ██████████/2023-██████████/2024, Department’s Testimony*)
17. On ██████████ 2024, the Appellant contacted the OLCRAH to request an administrative hearing to contest the Department’s determination of the benefit amount under the SNAP. (*Exhibit A: Live Hearing Request*)

18. The hearing record is void of evidence to substantiate that the Department received a report(s) of income change(s) from the Appellant. (*Exhibit 5: Case Notes: [REDACTED]/2023-[REDACTED]/2024, Exhibit 10: ImpaCT Document Search Results*)

19. 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], 2024. This decision, therefore, was due no later than [REDACTED], 2024, and is timely. (*Hearing Record*)

CONCLUSIONS OF LAW

1. Section 17b-2(7) of the Connecticut General Statutes (“Conn. Gen. Stats.”) provides the following: “The Department of Social Services is designated as the state agency for the administration of the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.”

The Department has the authority to administer the SNAP.

2. Title 7 of the Code of Federal Regulations (“C.F.R.”) Section 273.1(a) provides the following: *General household definition*. A household is composed of one of the following individuals or groups of individuals, unless otherwise specified in paragraph (b) of this section: (1) An individual living alone; (2) An individual living with others, but customarily purchasing food and preparing meals for home consumption separate and apart from others; or (3) A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.

The Department complied with the Federal Regulation and correctly determined that the SNAP household contained three (3) individuals substantiated by the most recent W-1ER form signed by the Appellant and received on [REDACTED], 2023.

3. 7 C.F.R. § 271.2 provides the following: *Elderly or disabled member* means a member of a household who:

1. Is 60 years of age or older;
2. Receives supplemental security income benefits under title XVI of the Social Security Act or disability or blindness payments under titles I, II, X, XIV, or XVI of the Social Security Act;

3. Receives federally or State-administered supplemental benefits under section 1616(a) of the Social Security Act provided that the eligibility to receive the benefits is based upon the disability or blindness criteria used under title XVI of the Social Security Act;
4. Receives federally or State-administered supplemental benefits under section 212(a) of Pub. L. 93-66;
5. Receives disability retirement benefits from a governmental agency because of a disability considered permanent under section 221(i) of the Social Security Act.
6. Is a veteran with a service-connected or non-service-connected disability rated by the Veteran's Administration (VA) as total or paid as total by the VA under title 38 of the United States Code;
7. Is a veteran considered by the VA to be in need of regular aid and attendance or permanently housebound under title 38 of the United States Code;
8. Is a surviving spouse of a veteran and considered by the VA to be in need of regular aid and attendance or permanently housebound or a surviving child of a veteran and considered by the VA to be permanently incapable of self-support under title 38 of the United States Code;
9. Is a surviving spouse or surviving child of a veteran and considered by the VA to be entitled to compensation for a service-connected death or pension benefits for a nonservice-connected death under title 38 of the United States Code *and* has a disability considered permanent under section 221(i) of the Social Security Act. "Entitled" as used in this definition refers to those veterans' surviving spouses and surviving children who are receiving the compensation or pension benefits stated or have been approved for such payments, but are not yet receiving them; or
10. Receives an annuity payment under: section 2(a)(1)(iv) of the Railroad Retirement Act of 1974 *and* is determined to be eligible to receive Medicare by the Railroad Retirement Board; or section 2(a)(1)(v) of the Railroad Retirement Act of 1974 and is determined to be disabled based upon the criteria used under title XVI of the Social Security Act.
11. Is a recipient of interim assistance benefits pending the receipt of Supplemented Security Income, a recipient of disability related medical assistance under title XIX of the Social Security Act, or a recipient of disability-based State general assistance benefits *provided* that the eligibility to receive any of these benefits is based upon disability or blindness criteria established by the State agency which are at least as stringent as those used under title XVI of the Social Security Act (as set forth at 20 CFR part 416, subpart I, Determining Disability and Blindness as defined in Title XVI).

The Department complied with the Federal Regulations and correctly determined that the Appellant and her [REDACTED] son are disabled members under the SNAP.

4. 7 C.F.R. § 273.9(b) provides the following: *Definition of income.* Household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section.

7 C.F.R. § 273.9(b)(2) provides the following: Unearned income shall include, but not be limited to:

(i) Assistance payments from Federal or federally aided public assistance programs, such as supplemental security income (SSI) or Temporary Assistance for Needy Families (TANF); general assistance (GA) programs (as defined in § 271.2); or other assistance programs based on need. Such assistance is considered to be unearned income even if provided in the form of a vendor payment (provided to a third party on behalf of the household), unless the vendor payment is specifically exempt from consideration as countable income under the provisions of paragraph (c)(1) of this section. Assistance payments from programs which require, as a condition of eligibility, the actual performance of work without compensation other than the assistance payments themselves, shall be considered unearned income.

(ii) Annuities; pensions; retirement, veteran's, or disability benefits; worker's or unemployment compensation including any amounts deducted to repay claims for intentional program violations as provided in § 272.12; old-age, survivors, or social security benefits; strike benefits; foster care payments for children or adults who are considered members of the household; gross income minus the cost of doing business derived from rental property in which a household member is not actively engaged in the management of the property at least 20 hours a week.

(iii) Support or alimony payments made directly to the household from nonhousehold members.

The Department complied with the Federal Regulations and correctly determined that the gross amount of benefits received from SSDI, SSI, and child support is considered countable unearned income under the SNAP.

5. 7 C.F.R § 273.9(d)(6)(ii) provides the following: *Excess shelter deduction*. Monthly shelter expenses in excess of 50 percent of the household's income after all other deductions in paragraphs (d)(1) through (d)(5) of this section have been allowed. If the household does not contain an elderly or disabled member, as defined in § 271.2 of this chapter, the shelter deduction cannot exceed the maximum shelter deduction limit established for the area. For fiscal year 2001, effective March 1, 2001, the maximum monthly excess shelter expense deduction limits are \$340 for the 48 contiguous States and the District of Columbia, \$543 for Alaska, \$458 for Hawaii, \$399 for Guam, and \$268 for the Virgin Islands. FNS will set the maximum monthly excess shelter expense deduction limits for fiscal year 2002 and future years by adjusting the previous year's limits to reflect changes in the shelter component and the fuels and utilities component of the Consumer Price Index for All Urban Consumers for the 12 month period ending the previous November 30. FNS will notify State agencies of the amount of the limit. Only the following expenses are allowable shelter expenses:

(A) Continuing charges for the shelter occupied by the household, including rent, mortgage, condo and association fees, or other continuing charges leading to the ownership of the shelter such as loan repayments for the purchase of a mobile home, including interest on such payments.

(B) Property taxes, State and local assessments, and insurance on the structure itself, but not separate costs for insuring furniture or personal belongings.

(C) The cost of fuel for heating; cooling (i.e., the operation of air conditioning systems or room air conditioners); electricity or fuel used for purposes other than heating or cooling; water; sewerage; well installation and maintenance; septic tank system installation and maintenance; garbage and trash collection; all service fees required to provide service for one telephone, including, but not limited to, basic service fees, wire maintenance fees, subscriber line charges, relay center surcharges, 911 fees, and taxes; and fees charged by the utility provider for initial installation of the utility. One-time deposits cannot be included.

(D) The shelter costs for the home if temporarily not occupied by the household because of employment or training away from home, illness, or abandonment caused by a natural disaster or casualty loss. For costs of a home vacated by the household to be included in the household's shelter costs, the household must intend to return to the home; the current occupants of the home, if any, must not be claiming the shelter costs for SNAP purposes; and the home must not be leased or rented during the absence of the household.

(E) Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster such as a fire or flood. Shelter costs shall not include charges for repair of the home that have been or will be reimbursed by private or public relief agencies, insurance companies, or from any other source.

The Department complied with the Federal Regulations and correctly determined that the Appellant is eligible for a shelter expense deduction absent of a shelter hardship cap because there are disabled members of the household under the SNAP.

6. 7 C.F.R § 273.9(d)(6)(iii) provides the following: *Standard utility allowances*. (A) With FNS approval, a State agency may develop the following standard utility allowances (standards) to be used in place of actual costs in determining a household's excess shelter deduction: an individual standard for each type of utility expense; a standard utility allowance for all utilities that includes heating or cooling costs (HCSUA); and, a limited utility allowance (LUA) that includes electricity and fuel for purposes other than heating or cooling, water, sewerage, well and septic tank installation and maintenance, telephone, and garbage or trash collection. The LUA must include expenses for at least two utilities. However, at its option, the State agency may include the excess heating and cooling costs of public housing residents in the LUA if it wishes to offer the lower standard to such households. The

State agency may use different types of standards but cannot allow households the use of two standards that include the same expense. In States in which the cooling expense is minimal, the State agency may include the cooling expense in the electricity component. The State agency may vary the allowance by factors such as household size, geographical area, or season. Only utility costs identified in paragraph (d)(6)(ii)(C) of this section must be used in developing standards.

The Department complied with the Federal Regulation and correctly determined the Appellant is eligible for the SUA shelter expense deduction.

7. 7 C.F.R. § 273.9(d)(3) provides the following: *Excess medical deduction*. That portion of medical expenses in excess of \$35 per month, excluding special diets, incurred by any household member who is elderly or disabled as defined in §271.2. Spouses or other persons receiving benefits as a dependent of the SSI or disability and blindness recipient are not eligible to receive this deduction but persons receiving emergency SSI benefits based on presumptive eligibility are eligible for this deduction.

The Department complied with the Federal Regulation and correctly determined that the Appellant does incur out-of-pocket medical expenses.

8. 7 C.F.R § 273.12(c) provides the following: State agency action on changes. The State agency shall take prompt action on all changes to determine if the change affects the household's eligibility or allotment. However, the State agency has the option to disregard a reported change to an established deduction in accordance with paragraph (c)(4) of this section. If a household reports a change in income, and the new circumstance is expected to continue for at least one month beyond the month in which the change is reported, the State agency may act on the change in accordance with paragraphs (c)(1) and (c)(2) of this section. The time frames in paragraphs (c)(1) and (c)(2) of this section apply to these actions. During the certification period, the State agency shall not act on changes in the medical expenses of households eligible for the medical expense deduction which it learns of from a source other than the household and which, in order to take action, require the State agency to contact the household for verification. The State agency shall only act on those changes in medical expenses that it learns about from a source other than the household if those changes are verified upon receipt and do not necessitate contact with the household. Even if there is no change in the allotment, the State agency shall document the reported change in the casefile, provide another change report form to the household, and notify the household of the receipt of the change report. If the reported change affects the household's eligibility or level of benefits, the adjustment shall also be reported to the household. The State agency shall also advise the household of additional verification requirements, if any, and state that failure to provide verification shall result in increased benefits reverting to the original allotment. The State agency shall document the date a change is reported, which shall be the date the State agency receives a report form or is advised of the change over the telephone or by a

personal visit. Restoration of lost benefits shall be provided to any household if the State agency fails to take action on a change which increases benefits within the time limits specified in paragraph (c)(1) of this section.

The Department correctly issued the Appellant a NOA on [REDACTED] 2023, that advised the household's eligibility for benefits under the SNAP decreased from \$129.00 per month for [REDACTED] 2023 to \$93.00 per month effective [REDACTED] 2024 as their total countable unearned income from the Social Security Administration (SSDI/SSI) increased by a total of \$80.00 per month as of [REDACTED] 2024 due to the COLA's.

9. 7 C.F.R. § 273.10(e)(1)(i) provides the following: Calculating net income and benefit levels-(1) Net monthly income. To determine a household's net monthly income, the State agency shall:
 - A. Add the gross monthly income earned by all household members and the total monthly unearned income of all household members, minus income exclusions, to determine the household's total gross income. Net losses from the self-employment income of a farmer shall be offset in accordance with §273.11(a)(2)(iii).
 - B. Multiply the total gross monthly earned income by 20 percent and subtract that amount from the total gross income; or multiply the total gross monthly earned income by 80 percent and add that to the total monthly unearned income, minus income exclusions. If the State agency has chosen to treat legally obligated child support payments as an income exclusion in accordance with §273.9(c)(17), multiply the excluded earnings used to pay child support by 20 percent and subtract that amount from the total gross monthly income.
 - C. Subtract the standard deduction.
 - D. If the household is entitled to an excess medical deduction as provided in §273.9(d)(3), determine if total medical expenses exceed \$35. If so, subtract that portion which exceeds \$35.
 - E. Subtract allowable monthly dependent care expenses if, any, as specified under § 273.9(d)(4) for each dependent.
 - F. If the State agency has chosen to treat legally obligated child support payments as a deduction rather than an exclusion in accordance with § 273.9(d)(5), subtract allowable monthly child support payments in accordance with § 273.9(d)(5).
 - G. Subtract the homeless shelter deduction, if any, up to the maximum of \$143.
 - H. Total the allowable shelter expenses to determine shelter costs, unless a deduction has been subtracted in accordance with paragraph (e)(1)(i)(G) of this section. Subtract from total shelter costs 50 percent of the household's monthly income after all the above deductions have been subtracted. The remaining amount, if any, is the excess shelter cost. If there is no excess shelter cost, the net monthly income has been determined. If there is excess shelter cost, compute the shelter deduction according to paragraph (e)(1)(i)(I) of this section.

- I. Subtract the excess shelter cost up to the maximum amount allowed for the area (unless the household is entitled to the full amount of its excess shelter expenses) from the household's monthly income after all other applicable deductions. Households not subject to a capped shelter expense shall have the full amount exceeding 50 percent of their net income subtracted. The household's net monthly income has been determined.

7 C.F.R. § 273.10(e)(1)(ii) (A) provides the following: “In calculating net monthly income, the State agency shall use one of the following two procedures: “Round down each income and allotment calculation that ends in 1 through 49 cents and round up each calculation that ends in 50 through 99 cents.”

7 C.F.R § 273.10(e)(2) (i) (A) Households which contain an elderly or disabled member as defined in § 271.2, shall have their net income, as calculated in paragraph (e)(1) of this section (except for households considered destitute in accordance with paragraph (e)(3) of this section), compared to the monthly income eligibility standards defined in § 273.9(a)(2) for the appropriate household size to determine eligibility for the month.

7 C.F.R.§ 273.10(e)(2)(ii)(A) provides the following: Except as provided in paragraphs (a)(1), (e)(2)(iii) and (e)(2)(vi) of this section, the household's monthly allotment shall be equal to the maximum SNAP allotment for the household's size reduced by 30 percent of the household's net monthly income as calculated in paragraph (e)(1) of this section. If 30 percent of the household's net income ends in cents, the State agency shall round in one of the following ways: (1) “The State agency shall round the 30 percent of net income up to the nearest higher dollar”.

7 C.F.R.§ 273.10(e)(4) provides the following: Thrifty Food Plan (TFP) and Maximum SNAP Allotments. (i) Maximum SNAP allotment level. Maximum SNAP allotments shall be based on the TFP as defined in §271.2, and they shall be uniform by household size throughout the 48 contiguous States and the District of Columbia. The TFP for Hawaii shall be the TFP for the 48 States and DC adjusted for the price of food in Honolulu. The TFPs for urban, rural I, and rural II parts of Alaska shall be the TFP for the 48 States and DC adjusted by the price of food in Anchorage and further adjusted for urban, rural I, and rural II Alaska as defined in §272.7(c). The TFPs for Guam and the Virgin Islands shall be adjusted for changes in the cost of food in the 48 States and DC, provided that the cost of these TFPs may not exceed the cost of the highest TFP for the 50 States. The TFP amounts and maximum allotments in each area are adjusted annually and will be prescribed in a table posted on the FNS web site, at www.fns.usda.gov/fsp.

SNAP CALCULATION [REDACTED] 2024

COUNTABLE INCOME	
Earned Income:	\$0.00
Unearned Income:	\$3,032.80
[REDACTED] : \$1,646.00 +	
[REDACTED] : \$823.00 +	
[REDACTED] : \$140.00 +	
[REDACTED] : \$423.80 =	
Total Income	\$3,032.80
Minus standard deduction (For a household of 3)	-\$198.00
Minus child support expenses	\$0
Minus medical expenses in excess of \$35 (only if age 60 and older or disabled)	\$0
Adjusted Gross Income	= \$2,834.80
<u>SHELTER COSTS</u>	
Rent/Mortgage	\$1,100.00
Standard Utility Allowance: (SUA)	\$912.00
Total shelter costs	\$2,012.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$2,012.00
Less 50% of adjusted gross income	\$1,417.40
Total shelter hardship	\$594.60
	(Cannot exceed \$569 unless elderly or disabled)
<u>NET ADJUSTED INCOME</u>	
Adjusted gross income	\$2,834.80
Less shelter hardship	\$594.60
Net Adjusted Income ("NAI")	\$2,240.20

<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan Amount 3 SNAP Members	\$766.00
Less 30% of NAI (rounded up)	(\$2,240.20 X .3)= \$672.06 Rounded up to \$673.00
SNAP award Calculation: Thrifty Food Plan: - 30% NAI= SNAP Amount OR *\$23	\$766.00- \$673.00= \$93.00 SNAP Award

Based on the evidence that was submitted to the hearing record the above noted calculation confirms that the Department complied with the Federal Regulations and correctly determined the household to be eligible for benefits under the SNAP in the amount of \$93.00 effective [REDACTED] 2024.

DISCUSSION

The Appellant did not contest the COLA increases from the Social Security Administration or the Department's calculation of the household's countable unearned income in SSDI/SSI benefits.

The Appellant testified that her [REDACTED] son, [REDACTED], is no longer receiving child support. The Appellant declared that she had reported said change to the Department prior to the hearing. However, the evidence refutes the Appellant's testimony; specifically, the W-1ER form that was received on [REDACTED], 2023, verifies that the Appellant had reported no changes to the household's unearned income. Additionally, the Department's electronic case record for the Appellant including the case notes and document search history further support that the Department had not received notification of a change in income from the Appellant.

The Appellant testified that she is no longer employed as a childcare provider. It should be noted that the NOA dated [REDACTED], 2023, reflected earned income for the Appellant as a childcare provider of \$714.00 per month. However, the Federal Income Tests supported by the above-noted calculation confirm that the Department did not count earned income for the Appellant in the computation of the SNAP.

The Appellant testified that her [REDACTED] son, [REDACTED], started working and requested that he be removed as a member of the household under the SNAP.

The Appellant reported several changes to her household income and composition at the time of the hearing. The Appellant is encouraged to follow up with the Department and report the changes for further Departmental action.

DECISION

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

Jessica Gulianello

Jessica Gulianello
Hearing Officer

CC: Claudene Reid, ESW DO ■
Josie Savastra, Lindsey Collins, & Mathew Kalarickal, SSOM's

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.