

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

██████████ 2024
SIGNATURE CONFIRMATION

Case ID # ██████████
Client ID # ██████████
Request # 234959

NOTICE OF DECISION

PARTY

██████████
████████████████████
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PROCEDURAL BACKGROUND

On ██████████ 2024, the Department of Social Services (the “Department”) reissued a Notice of Action (“NOA”) from ██████████ 2023, to ██████████ (the “Appellant”) granting him emergency Supplemental Nutritional Assistance Program (“SNAP”) benefits effective ██████████ 2023.

On ██████████ 2024, the Appellant requested an administrative hearing to appeal the discontinuance of emergency SNAP benefits effective ██████████ 2023.

On ██████████ 2024, the Department sent a NOA granting SNAP benefits effective ██████████ 2024.

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

On ██████████ 2024, in accordance with sections 17b-60, 17-61 and 4-176e to 4-189 inclusive of the Connecticut General Statutes, OLCRAH held an Administrative Hearing by phone.

The following individuals were present at the hearing:

8. On [REDACTED] 2024, the Appellant submitted an Online Application for SNAP benefits. (Exhibit 4: Document Search)
9. On [REDACTED] 2024, the Department sent the Appellant an NOA, granting SNAP benefits effective [REDACTED], 2024, with a certification period end date of [REDACTED] 2025. (Exhibit 6 and Exhibit 9: NOA, [REDACTED]/2024)
10. The issuance of this decision is timely under Connecticut General Statutes 17b-61(a), which requires that a decision be issued within 60 days of the request for an administrative hearing. The Appellant requested an administrative hearing on [REDACTED], 2024. Therefore, this decision is due [REDACTED] 2024, and is timely. (Hearing Record)

CONCLUSIONS OF LAW

1. Section 17b-2 of the Connecticut General Statutes provides that the Department of Social Services is designated as the state agency for the administration of (7) the supplemental nutritional assistance program pursuant to the Food and Nutrition Act of 2008.

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

2. Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.2(c)(1)(iv) provides for recording the filing date. The date of application is the date the application is received by the State agency. State agencies must document the application date on the application. If the application is received outside normal business hours the State agency will consider the date of application the next business day. For online applications, the date of application is the date the application is submitted, or the next business day if it is submitted after business hours. For telephonic applications, the date of application is the date on which the household member provides verbal assent.
3. Title 7 C.F.R. § 273.2 (d)(1) provides in part that to determine eligibility, the application form must be completed and signed, the household or its' authorized representative must be interviewed, and certain information on the application must be verified.
4. Title 7 C.F.R. § 273.2(e)(2) provides that the State agency may use 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 completed the SNAP telephone interview.

5. 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.
6. Title 7 C.F.R. § 273.14(b)(4) provides that information provided by the household shall be verified in accordance with §273.2(f)(8)(i). The State agency shall provide the household a notice of required verifications provided in §273.2(c)(5) and notify the household of the date by which the verification requirements must be satisfied. The household must be allowed a minimum of 10 days to provide the required verification information. Any household whose eligibility is not determined by the end of its current certification period due to the time period allowed for submitting any missing verification shall receive an opportunity to participate, if eligible, within 5 working days after the household submits the missing verification and benefits cannot be prorated.
7. Title 7 C.F.R. § 273.2(i)(1) provides for Entitlement to expedited service. The following households are entitled to expedited service:
 - (i) Households with less than \$150 in monthly gross income, as computed in § 273.10 provided their liquid resources (i.e., cash on hand, checking or savings accounts, savings certificates, and lump sum payments as specified in § 273.9(c)(8)) do not exceed \$100;
 - (ii) Migrant or seasonal farmworker households who are destitute as defined in § 273.10(e)(3) provided their liquid resources (i.e., cash on hand, checking

or savings accounts, savings certificates, and lump sum payments as specified in § 273.9(c)(8)) do not exceed \$100;

- (iii) Households whose combined monthly gross income and liquid resources are less than the household's monthly rent or mortgage, and utilities (including entitlement to a SUA, as appropriate, in accordance with § 273.9(d)).
8. Title 7 C.F.R. § 273.2(i)(4)(iii)(A) provides for households applying on or before the 15th of the month, the State agency may assign a one-month certification period or assign a normal certification period. Satisfaction of the verification requirements may be postponed until the second month of participation. If a one-month certification period is assigned, the notice of eligibility may be combined with the notice of expiration or a separate notice may be sent. The notice of eligibility must explain that the household has to satisfy all verification requirements that were postponed. For subsequent months, the household must reapply and satisfy all verification requirements which were postponed or be certified under normal processing standards. If the household does not satisfy the postponed verification requirements and does not appear for the interview, the State agency does not need to contact the household again.
 9. "The household has primary responsibility for providing documentary evidence to support statements of the application and to resolve any questionable information."
Title 7 C.F.R. § 273.2(f)(5)(i)
 10. Title 7 C.F.R. § 273.2(h)(i) (C) provides for in 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 particular verification that was missing.
 11. Title 7 C.F.R. § 273.15(g) provides for the time period for requesting hearing. A household shall be allowed to request a hearing on any action by the State agency or loss of benefits which occurred in the prior 90 days. Action by the State agency shall include a denial of a request for restoration of any benefits lost more than 90 days but less than a year prior to the request. In addition, at any time within a certification period a household may request a fair hearing to dispute its current level of benefits.

The Department correctly determined the Appellant eligible for a one-month certification cycle for expedited processing on [REDACTED] 2023.

On [REDACTED] 2023, The Department complied with federal regulations by notifying the Appellant of the required information needed to continue SNAP eligibility beyond [REDACTED] 2023.

The Department correctly postponed verifications until [REDACTED] 2023, in processing expedited SNAP benefits.

On [REDACTED] 2023, the Department correctly combined the Notice of eligibility along with the notice of expiration of the SNAP benefits.

The Department correctly notified the Appellant of the required actions and allowed 10 days, to complete.

The Department correctly discontinued the Appellant's SNAP benefits beyond the expiration date of [REDACTED], 2023, due to the Appellant failing to provide the postponed verification.

The Appellant did not request a Hearing within the specified time of 90 days after the [REDACTED] 2023, notice and therefore has been denied any restoration in benefits lost.

The Department correctly determined the Appellant's application date as [REDACTED], 2024, the date the application was received by the Department.

On [REDACTED] 2024, the Department correctly approved SNAP benefits effective [REDACTED], 2024, with a certification period ending [REDACTED] 2025.

DECISION

The Appellant's appeal is **DENIED**

Scott Zuckerman
Scott Zuckerman
Hearing Officer

CC: Matthew Kalarickal, Operations Manager, DSS, Norwich Office
Marybeth Mark, Fair Hearings Liaison, DSS, Norwich 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, law, and 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 the Department of Social Services, Director, Office of Administrative Hearings and Appeals, 55 Farmington Avenue, Hartford, CT 06105-3725.

RIGHT TO APPEAL

The appellant has the right to appeal this decision to the 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 if 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 to 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 under §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.