



Kirsten Bellisle, Department Representative  
Lisa Nyren, Fair Hearing Officer

### **STATEMENT OF THE ISSUE**

The issue to be decided is whether the Department's [REDACTED] [REDACTED] 2024 decision to deny the Appellant's [REDACTED] [REDACTED] 2024 application for benefits under the SNAP was correct.

### **FINDINGS OF FACT**

1. On [REDACTED] [REDACTED] 2024, the Appellant submitted an online application requesting benefits under the SNAP for herself, age [REDACTED] and her two children, ages [REDACTED] and [REDACTED]. The Appellant did not appoint an authorized representative. The Appellant listed receipt of Supplemental Security Income (SSI) for herself \$1,216.00 per month and her two children \$257.00 per month each, on her online application. The Appellant did not list receipt of direct child support income on her application. (Exhibit A: Online Application)
2. On [REDACTED] [REDACTED] 2024, the Department telephoned the Appellant to complete the application interview, but the Department did not reach the Appellant. (Department Representative Testimony)
3. Because the Appellant reported receipt of direct child support income with the Department in the past, the Department determined proof of direct child support income was needed to determine SNAP eligibility. (Department Representative Testimony)
4. On [REDACTED] [REDACTED] 2024, the Department issued the Appellant a W1348 Proofs We Need form requesting proof of the following: proof of checking account balance and proof of child support income. The Department listed the due date for the information as [REDACTED] [REDACTED] 2024. The form lists three options to send requested proof to the Department: upload your proof electronically at [www.connect.ct.gov](http://www.connect.ct.gov), mail the proof using the enclosed envelope and cover sheet, or bring the proof to a DSS office. The form includes the following statement: "If you do not send us your proof on time, your benefits may be delayed or denied. ... If you need help getting the proof or need more time, call the Benefit Center at 1-855-626-6632." The form includes the statement in bold, "Do you have a disability or impairment that requires an accommodation or extra help? ... To ask for extra help, please call the Benefit Center at 1-855-626-6632." (Exhibit B: Proofs We Need and Exhibit I: Case Notes)

5. On [REDACTED] [REDACTED] 2024, the Department issued the Appellant an Interview Notice informing her she needs to complete an interview with the Department. The Department writes, "Your interview may be done by telephone or in person at a DSS office. Please call the Benefit Center at 1-855-626-6632 between the hours of Monday through Friday (except for holidays) between 7:30 am and 3:30 pm to have your interview or set up a time to come to a DSS office for your interview. Your application will be denied if you do not have your interview and send us all of the required proofs we asked for by the denial date(s)." (Exhibit C: Interview Notice)
6. On [REDACTED] [REDACTED] 2024, the Department issued the Appellant a Notice of Missed Interview reminding the Appellant to complete the application interview by the denial date [REDACTED] [REDACTED] 2024. The Department writes, "Your application will be denied if you do not have your interview and send us all of the required proofs we asked for by the denial date(s)." (Exhibit D: Notice of Missed Interview)
7. The Appellant tried to call the Department at least once to complete the application interview but was not successful. (Appellant Testimony)
8. On [REDACTED] [REDACTED] 2024, the Department received proof of the Appellant's checking account from the Appellant. (Exhibit I: Case Notes and Department Representative's Testimony)
9. The Appellant and the Witness for the Appellant tried to upload the requested child support documentation but were not successful. (Witness for the Appellant Testimony)
10. The Department did not receive proof of direct child support. (Exhibit F: Notice of Action, Exhibit I: Case Notes, and Department Representative Testimony)
11. The Appellant did not complete the application interview with the Department prior to [REDACTED] [REDACTED] 2024. (Department Representative Testimony)
12. SNAP applications must be granted or denied by the 30<sup>th</sup> day after the date of application. (Department Representative Testimony)
13. On [REDACTED] [REDACTED] 2024, the Department determined the Appellant ineligible for benefits under the SNAP effective [REDACTED] [REDACTED] 2024, the date of application, because the Appellant did not complete the application interview and child support documentation remained outstanding. (Exhibit F: Notice of Action and Department Representative's Testimony)

14. On [REDACTED] [REDACTED] 2024, the Department issued the Appellant a notice of action. The notice stated the Department denied the Appellant's application for benefits under the SNAP effective [REDACTED] [REDACTED] 2024 because "No household members are eligible for this program, the required interview was not completed, and does not meet program requirements." (Exhibit F: Notice of Action)
15. On [REDACTED] [REDACTED] 2024, the Appellant completed the application interview with the Department by telephone. (Department Representative Testimony)
16. On [REDACTED] [REDACTED] 2024, the OLCRAH received a fax from the Appellant which included a cover sheet noting the Appellant's name and case number, bank statement summary for [REDACTED] 2024, [REDACTED] 2024, and [REDACTED] 2024, and an illegible transaction detail printout. (Exhibits 1 and 2: Transaction Details and Bank Statement Summary)
17. On [REDACTED] [REDACTED] 2024, the Department received a copy of the documents received by the OLCRAH: a cover sheet noting the Appellant's name and case number, bank statement summary for [REDACTED] 2024, [REDACTED] 2024, and [REDACTED] 2024, and an illegible transaction detail printout. (Department Representative Testimony)
18. The Department did not notify the Appellant the documents received were not legible. (Department Representative Testimony)
19. On [REDACTED] [REDACTED] 2024, the Witness for the Appellant emailed a copy of the documents faxed on [REDACTED] [REDACTED] 2024. The email contained a better copy of the child support electronic deposit of \$433.34 received on [REDACTED] [REDACTED] 2024 and [REDACTED] [REDACTED] 2024 from [REDACTED], [REDACTED] and [REDACTED] 2024 bank statements, and a copy of the child support order from [REDACTED] Probate and Family Court listing weekly child support as \$100.00 per week. (Exhibit 3: Appellant Documents)
20. On [REDACTED] [REDACTED] 2024, the Department rescinded their denial of the Appellant's [REDACTED] [REDACTED] 2024 application for SNAP and granted SNAP benefits effective [REDACTED] [REDACTED] 2024, the date the Department received the initial direct child support verification from the Appellant after receiving a better copy from the Witness for the Appellant on [REDACTED] [REDACTED] 2024. (Exhibit L: Email Chain)
21. The issuance of this decision is timely under Title 7 Section 273.15(c) of the Code of Federal Regulations, 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] [REDACTED] 2024. However, the administrative hearing was rescheduled at the Appellant's request causing an [REDACTED]-day delay. Because the Appellant requested the hearing be

rescheduled resulting in the ■-day delay, this decision is due not later than ■■ 2024.

### CONCLUSIONS OF LAW

1. Section 17b-2(7) of the Connecticut General Statute provides as follows:

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.

2. Title 7 Section 273.2(c)(1)(i) of the Code of Federal Regulations (“C.F.R.”) provides as follows:

Households must file SNAP applications by submitting the forms to the SNAP office either in person, through an authorized representative, by mail, by completing an on-line electronic application, or, if available, by fax, telephone, or other electronic transmission.

**The Department correctly determined the Appellant submitted an online application for assistance under the SNAP.**

3. Federal regulation provides as follows:

*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.

7 C.F.R. § 273.2(c)(1)(iv)

**The Department correctly determined the Appellant’s application date as ■■■■ 2024, the date the Department received the Appellant’s online application.**

4. Federal regulation provides in pertinent part: 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. 7 C.F.R. § 273.2(d)(1)

5. Federal regulation provides as follows:

Verification is the use of documentation or a contact with a third party to confirm the accuracy of statements or information. The State agency must give households at least 10 days to provide required verification. Paragraph (i)(4) of this section contains verification procedures for expedited service cases.

7 C.F.R. § 273.2(f)

Federal regulation provides as follows:

*Mandatory verification.* State agencies shall verify the following information prior to certification for households initially applying: (i) *Gross nonexempt income.* Gross nonexempt income shall be verified for all households prior to certification. However, where all attempts to verify the income have been unsuccessful because the person or organization providing the income has failed to cooperate with the household and the State agency, and all other sources of verification are unavailable, the eligibility worker shall determine an amount to be used for certification purposes based on the best available information.

7 C.F.R. § 273.2(f)(1)(i)

Federal regulation provides as follows:

Household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section. Unearned income shall include, but not be limited to:

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. 7 C.F.R. § 273.9(b)(2)(ii)

Support or alimony payments made directly to the household from nonhousehold members. 7 C.F.R. § 273.9(b)(1)(iii)



**The Department correctly determined proof of household income which includes social security and direct child support as required verification necessary to determine eligibility under the SNAP.**

Federal regulation provides as follows:

The State agency may verify SSI benefits through the State Data Exchange (SDX), and Social Security benefit information through the Beneficiary Data Exchange (BENDEX), or through verification provided by the household. The State agency may use SDX and BENDEX data to verify other SNAP eligibility criteria. The State agency may access SDX and BENDEX data without release statements from households, provided the State agency makes the appropriate data request to SSA and executes the necessary data exchange agreements with SSA. The household shall be given an opportunity to verify the information from another source if the SDX or BENDEX information is contradictory to the information provided by the household or is unavailable. Determination of the household's eligibility and benefit level shall not be delayed past the application processing time standards of [paragraph \(g\)](#) of this section if SDX or BENDEX data is unavailable.

7 C.F.R. § 273.2(f)(7)

**The Department correctly determined the Appellant did not need to provide proof of social security income since the Department has access to social security benefit information through BENDEX.**

**The Department correctly determined proof of direct child support income is needed to determine the household's eligibility under the SNAP.**

6. Federal regulation provides as follows:

*Notice of Required Verification.* 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.

7 C.F.R. § 273.2(c)(5)

**On [REDACTED] [REDACTED] 2024, the Department complied with the notice requirements under 7 C.F.R. § 273.2(c)(5) by issuing the Appellant a W1348 Proofs We Need form informing the Appellant of the verification requirements needed to determine eligibility under the SNAP and allowed a minimum of 10-days as required by 7 C.F.R. § 273.2(f) to submit the requested verification.**

7. Federal regulation provides in pertinent part as follows:

*Interviews.* Except for households certified for longer than 12 months, and except as provided in [paragraph \(e\)\(2\)](#) of this section, households must have a face-to-face interview with an eligibility worker at initial certification and at least once every 12 months thereafter. State agencies may not require households to report for an in-office interview during their certification period, though they may request households to do so. For example, State agencies may not require households to report en masse for an in-office interview during their certification periods simply to review their case files, or for any other reason. State agencies may not require an in person interview solely to take a photo. Interviews may be conducted at the SNAP office or other mutually acceptable location, including a household's residence. If the interview will be conducted at the household's residence, it must be scheduled in advance with the household. If a household in which all adult members are elderly or disabled is certified for 24 months in accordance with [§ 273.10\(f\)\(1\)](#), or a household residing on a reservation is required to submit monthly reports and is certified for 24 months in accordance with [§ 273.10\(f\)\(2\)](#), a face-to-face interview is not required during the certification period. The individual interviewed may be the head of household, spouse, any other responsible member of the household, or an authorized representative. The applicant may bring any person he or she chooses to the interview. The interviewer must not simply review the information that appears on the application, but must explore and resolve with the household unclear and incomplete information. The interviewer must advise households of their rights and responsibilities during the interview, including the appropriate application processing standard and the households' responsibility to report changes. The interviewer must advise households that are also applying for or receiving PA benefits that time limits and other requirements that apply to the receipt of PA benefits do not apply to the receipt of SNAP benefits, and that households which cease receiving PA benefits because they have reached a time limit, have begun working, or for other reasons, may still qualify for SNAP benefits. The interviewer must conduct the interview as an official and confidential discussion of household circumstances. The State agency must protect the applicant's right to privacy during the



interview. Facilities must be adequate to preserve the privacy and confidentiality of the interview.

7 C.F.R. § 273.2(e)(1)

Federal regulation provides in pertinent part as follows:

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.

7 C.F.R. § 273.2(e)(2)

**The Department correctly required the Appellant to complete an application interview with the Department to review the information on the application and to explore and resolve with the household unclear and incomplete information such as direct child support and any changes since the application was filed.**

Federal regulation provides as follows:

The State agency must schedule an interview for all applicant households who are not interviewed on the day they submit their applications. To the extent practicable, the State agency must schedule the interview to accommodate the needs of groups with special circumstances, including working households. The State agency must schedule all interviews as promptly as possible to insure eligible households receive an opportunity to participate within 30 days after the application is filed. The State agency must notify each household that misses its interview appointment that it missed the scheduled interview and that the household is responsible for rescheduling a missed interview. If the household contacts the State agency within the 30 day application processing period, the State agency must schedule a second interview. The State agency may not deny a household's application prior to the 30th day after application if the household fails to appear for the first scheduled interview. If the household requests a second interview during the 30-day application processing period and is determined eligible, the State agency must issue prorated benefits from the date of application.

7 C.F.R. § 273.2(e)(3)

**On [REDACTED] [REDACTED] 2024, the Department correctly issued an Interview Notice notifying the Appellant she must complete an application interview by [REDACTED] [REDACTED] 2024. The Department correctly**

**determined the Appellant failed to complete the application interview by the interview due date [REDACTED] [REDACTED] 2024 and by the [REDACTED] [REDACTED] 2024 application denial date.**

**On [REDACTED] [REDACTED] 2024, the Department correctly issued the Appellant a Notice of Missed Interview informing the Appellant she missed her interview, and she is responsible to reschedule.**

**On [REDACTED] [REDACTED] 2024, the Appellant correctly completed an application interview with the Department during the second 30-day SNAP processing period.**

8. Federal regulation provides as follows:

*Application processing.* The application process includes filing and completing an application form, being interviewed, and having certain information verified. The State agency must act promptly on all applications and provide SNAP benefits retroactive to the month of application to those households that have completed the application process and have been determined eligible. States must meet application processing timelines, regardless of whether a State agency implements a photo EBT card policy. The State agency must make expedited service available to households in immediate need. Specific responsibilities of households and State agencies in the application process are detailed below.

7 C.F.R. § 273.2(a)(2)

Federal regulation provides as follows:

*Responsibility of obtaining verification.* The household has primary responsibility for providing documentary evidence to support statements on the application and to resolve any questionable information. The State agency must assist the household in obtaining this verification provided the household is cooperating with the State agency as specified under paragraph (d)(1) of this section. Households may supply documentary evidence in person, through the mail, by facsimile or other electronic device, or through an authorized representative. The State agency must not require the household to present verification in person at the SNAP office. The State agency must accept any reasonable documentary evidence provided by the household and must be primarily concerned with how adequately the verification proves the statements on the application. However, the State agency has primary responsibility for verifying fleeing felon and parole or probation violator status in accordance with §273.11(n). If a SNAP applicant's attestation regarding disqualified felon status described in §273.2(o) is questionable, the State agency shall verify

the attestation. Each element of a questionable attestation—that the individual has been convicted of a crime listed at §273.11(s), and that the individual is not in compliance with the terms of their sentence—shall be verified by the State agency. The State agency shall determine whether an attestation is questionable based on the standards established under §273.2(f)(2)(i). In conducting verifications of questionable attestations under this paragraph, the State agency shall establish reasonable, consistent standards, evaluate each case separately, and document the case file accordingly.

7 C.F.R. § 273.2(f)(5)(i)

Federal regulation provides as follows:

*Denying the application.* Households that are found to be ineligible shall be sent a notice of denial as soon as possible but not later than 30 days following the date the application was filed. If the household has failed to appear for a scheduled interview and has made no subsequent contact with the State agency to express interest in pursuing the application, the State agency shall send the household a notice of denial on the 30th day following the date of application. The household must file a new application if it wishes to participate in the program. In cases where the State agency was able to conduct an interview and request all of the necessary verification on the same day the application was filed, and no subsequent requests for verification have been made, the State agency may also deny the application on the 30th day if the State agency provided assistance to the household in obtaining verification as specified in paragraph (f)(5) of this section, but the household failed to provide the requested verification.

7 C.F.R. § 273.2(g)(3)

**On [REDACTED] [REDACTED] 2024, the Department correctly denied the Appellant's application for benefits under the SNAP effective [REDACTED] [REDACTED] 2024 because the Appellant failed to complete the application interview and failed to provide the requested verification necessary to determine eligibility by the 30<sup>th</sup> day following the date of application, or [REDACTED] [REDACTED] 2024.**

9. Federal regulation provides as follows:

If by the 30<sup>th</sup> day the State agency cannot take any further action on the application due to the fault of the household, the household shall lose its entitlement to benefits for the month of application. However, the State agency shall give the household an additional 30 days to take the required action, except that, if verification is lacking, the State agency has the

option of holding the application pending for only 30 days following the date of the initial request for the particular verification that was missing.

7 C.F.R. § 273.2(h)(2)(i)

Federal regulation provides as follows:

The State agency has the option of sending the household either a notice of denial or a notice of pending status on the 30th day. The option chosen may vary from one project area to another, provided the same procedures apply to all households within a project area. However, if a notice of denial is sent and the household takes the required action within 60 days following the date the application was filed, the State agency shall reopen the case without requiring a new application. No further action by the State agency is required after the notice of denial or pending status is sent if the household failed to take the required action within 60 days following the date the application was filed, or if the State agency chooses the option of holding the application pending for only 30 days following the date of the initial request for the particular verification that was missing, and the household fails to provide the necessary verification by this 30th day.

7 C.F.R. § 273.2(h)(2)(i)(A)

Federal regulation provides as follows:

If the household was at fault for the delay in the first 30-day period, but is found to be eligible during the second 30-day period, the State agency shall provide benefits only from the month following the month of application. The household is not entitled to benefits for the month of application when the delay was the fault of the household.

7 C.F.R. § 273.2(h)(2)(ii)

**On [REDACTED] [REDACTED] 2024, the Department complied with Title 7 7: F Sections 273.2(h)(2)(i)(A) and 273.2(h)(2)(ii) by granting benefits under the SNAP effective [REDACTED] [REDACTED] 2024, the date the Appellant supplied the Department with proof of direct child support.**

**On [REDACTED] [REDACTED] 2024, the Department denied the Appellant's application for SNAP benefits. On [REDACTED] [REDACTED] 2024, the Appellant completed the application interview with the Department. On [REDACTED] [REDACTED] 2024, the Department received proof of direct child support from the Appellant. On [REDACTED] [REDACTED] 2024, the Department determined the Appellant completed the SNAP application process as of [REDACTED] [REDACTED] 2024, within 60-days of the date of application, and determined the Appellant eligible for benefits based on her household situation. The**

Department correctly determined the household was not entitled to benefits the month of application due to the failure to complete the application interview and provide income verification within 30 days of the date of application but completed the application interview and provided verification within 60 days of the application date and entitled to a prorated SNAP benefit beginning [REDACTED] 2024.

**DECISION**

The Appellant's appeal is denied.

*Lisa A. Nyren*  
Lisa A. Nyren  
Fair Hearing Officer

CC: Tonya Beckford, SSOM RO #42  
Kirsten Bellisle, FHL RO #42

### **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, 55 Elm Street, 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.