

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

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

██████████  
██████████  
██████████

**NOTICE OF DECISION**

**PARTY**

██████████  
██████████  
██████████

**PROCEDURAL BACKGROUND**

On ██████████ 2024, the Department of Social Services (the “Department”) sent ██████████ (the “Appellant”) a Notice of Action (“NOA”) discontinuing her Supplemental Nutritional Assistance Program (“SNAP”) benefits effective ██████████ 2024, for failure to complete a redetermination.

On ██████████ 2024, the Appellant requested an administrative hearing to contest the Department’s decision to discontinue her SNAP benefits.

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 4-184 inclusive, of the Connecticut General Statutes, OLCRAH held a telephonic administrative hearing.

The following individuals participated in the hearing:

██████████, Appellant  
Carolyn Jones, Department’s Representative  
Amy MacDonough, Hearing Officer

The hearing record remained open for the submission of additional information from the Department. On [REDACTED], 2024, the Department provided an email response stating they were unable to locate any of the additional information requested and the record closed.

### **STATEMENT OF THE ISSUE**

The issue is whether the Department correctly discontinued the Appellant's SNAP effective [REDACTED] 2024, for failure to complete the redetermination.

### **FINDINGS OF FACT**

1. The Department found the Appellant [Date of Birth: [REDACTED]] and her minor child [Date of Birth: [REDACTED]] eligible for SNAP benefits for the certification period of [REDACTED] 2023, through [REDACTED] 2024. (*Exhibit 1: Notice of Renewal of Eligibility; Exhibit 2: Online Renewal*)
2. On [REDACTED] 2024, the Department issued the Appellant a Notice of Renewal of Eligibility for the SNAP program. The notice requested the Appellant provide a signed form by [REDACTED] 2024, to avoid a delay in the renewal process. The form also indicated that it must be received by [REDACTED] 2024, to receive uninterrupted benefits, and a completed form and all required proofs must be submitted by [REDACTED], 2024, or benefits may stop. (*Exhibit 1*)
3. On [REDACTED] 2024, the Department received an online renewal form from the Appellant. The Appellant reported no changes on the form. The household receives income from child support in the amount of \$364.00 monthly and the Appellant has no rental obligation. (*Department's Testimony; Exhibit 2; Case Notes; Exhibit 2*)
4. On [REDACTED] 2024, the Department issued the Appellant a Notice of Action indicating her SNAP benefits were closed for the following reasons: renewal process not completed, no household members are eligible for this program and does not meet program requirements. The notice further states: "Your SNAP benefits have ended and you have not completed your interview. You need to complete an interview to help us decide if you can continue to get SNAP benefits." (*Exhibit 3: Notice of Action*)
5. On [REDACTED] 2024, the Department reviewed the Appellant's SNAP renewal that was received timely and determined the SNAP closed in error. The Department reinstated the SNAP as of [REDACTED] 2024, and left pending for the following verifications: interview, wages or last day worked from EDS Service Solutions. (*Department's Testimony; Exhibit 4: Case Notes*)
6. On [REDACTED] 2024, the Department issued the Appellant a Proofs We Need form requesting the following information for the TFA Cash program: proof of your gross

earnings, copy of last 4 paystubs from EDS Service Solutions or verification of last date worked. The notice provided a due date of [REDACTED] 2024. (*Exhibit 5: Proofs We Need*)

7. The hearing record is void of evidence that a Proofs We Need was issued to the Appellant indicating verifications needed for the SNAP program. (*Department's Testimony; Hearing Record*)
8. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.15, which provides that within 60 days of the receipt of a request for a fair hearing, the State agency shall issue a decision. The Appellant requested an administrative hearing on [REDACTED] 2024. With the 3 delay-days, this decision is due no later than [REDACTED] 2024.

### **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 nutrition assistance program pursuant to the Food and Nutrition Act of 2008.

**The Department has the authority to review and determine eligibility for the SNAP.**

2. 7 C.F.R. § 273.10(f) provides for certification periods and states the State agency must certify each eligible household for a definite period of time. State agencies must assign the longest certification period possible based on the predictability of the household's circumstances. The first month of the certification period will be the first month for which the household is eligible to participate. The certification period cannot exceed 12 months except to accommodate a household's transitional benefit period and as specified in paragraphs (f)(1) and (f)(2) of this section.
3. 7 C.F.R. § 273.14(a) provides for recertification and states 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] 2024.**

4. 7 C.F.R. § 273.14(b)(2) provides for application and states 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. § 273.14(c)(2) provides for timely application for recertification and states other households reporting required changes in circumstances that submit applications by the 15<sup>th</sup> day of the last month of the certification period shall be considered to have made a timely application for recertification.

**The Department received an electronically signed online renewal from the Appellant on [REDACTED] 2024.**

5. 7 C.F.R. § 273.14(b)(3) provides for interview and states 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. The State agency may choose not to interview the household at interim recertifications within the 12-month period. The requirement for an interview once every 12 months may be waived in accordance with § 273.2(e)(2).

7 C.F.R. § 273.2(e)(2) provides 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 Department failed to issue an interview notice informing the Appellant of the need for an interview.**

6. 7 C.F.R. § 273.14(b)(4) provides for verifications and states 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 verification as 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 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 C.F.R. § 273.2(c)(5) provides for notice of required verification and states 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(f)(8)(i)(D) provides for verification subsequent to initial certification-recertification and states other information which has changed may be verified at recertification. Unchanged information shall not be verified unless the information is incomplete, inaccurate, inconsistent or outdated. Verification under this paragraph shall be subject to the same verification procedures as apply during initial verification.

**The Department failed to provide a request for verifications required to complete the Appellant's renewal.**

7. 7 C.F.R. § 273.14(e)(1) provides for delayed processing and states if an eligible household files an application before the end of the certification period but the recertification process cannot be completed within 30 days after the date of application because of State agency fault, the State agency must continue to process the case and provide a full month's allotment for the first month of the new certification period. The State agency shall determine cause for any delay in processing a recertification application in accordance with the provisions of § 273.3(h)(1).

The Department failed to provide the Appellant with SNAP benefits for the first month of the new certification period while continuing to process her timely renewal.

**DECISION**

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

**ORDER**

1. The Department is ordered to reopen the Appellant's SNAP effective [REDACTED] 2024, and grant SNAP benefits for the month of [REDACTED].
2. The Department will issue the Appellant a Proofs We Need informing her of the required verifications to complete her renewal.
3. Compliance of the above orders are due to the undersigned by [REDACTED], 2024.

  
Amy MacDonough  
Fair Hearing Officer

CC: Josephine Savastra, Operations Manager, DSS, Hartford Regional Office  
Lindsey Collins, Operations Manager, DSS, Hartford Regional Office  
Robert Stewart, Operations Manager, DSS, Hartford Regional Office  
Wilfredo Medina, Hearing Supervisor, DSS, Hartford Regional Office  
Carolyn Jones, Hearing Liaison, DSS, Hartford 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.