



STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
OFFICE OF INSPECTOR GENERAL

Jim Justice
Governor

BOARD OF REVIEW
P.O. Box 1247
Martinsburg, WV 25402

Bill J. Crouch
Cabinet Secretary

Esta es la decision de su Audiencia Imparcial. La decision del Departamento ha sido confirmada/invertido/remitido. Si usted tiene preguntas, por favor llame a Phillip Owens, 304-267-0100, ext. 71054

January 17, 2018

[REDACTED]

RE: [REDACTED] v. WV DHHR, ACTION NOS.: 17-BOR-2851 & 2858

Dear [REDACTED]:

Enclosed is a copy of the decision resulting from the hearing held in the above-referenced matter.

In arriving at a decision, the State Hearing Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Health and Human Resources. These same laws and regulations are used in all cases to assure that all persons are treated alike.

You will find attached an explanation of possible actions you may take if you disagree with the decision reached in this matter.

Sincerely,

Lori Woodward
State Hearing Officer
Member, State Board of Review

Encl: Appellant's Recourse to Hearing Decision
Form IG-BR-29

cc: Peter VanKleeck, BCF, [REDACTED] Co. DHHR

**WEST VIRGINIA DEPARTMENT OF HEALTH AND HUMAN RESOURCES
BOARD OF REVIEW**

████████████████████,

Appellant,

v.

Action Nos.: 17-BOR-2851 & 2858

**WEST VIRGINIA DEPARTMENT OF
HEALTH AND HUMAN RESOURCES,**

Respondent.

DECISION OF STATE HEARING OFFICER

INTRODUCTION

This is the decision of the State Hearing Officer resulting from a fair hearing for ██████████ ██████████. This hearing was held in accordance with the provisions found in Chapter 700 of the West Virginia Department of Health and Human Resources' Common Chapters Manual. This fair hearing was convened on January 11, 2018, on an appeal filed November 21, 2017.

The matter before the Hearing Officer arises from the Respondent's November 2017 closure of Supplemental Nutrition Assistance Program (SNAP) and Adult Medicaid benefits.

At the hearing, the Respondent appeared by Margie Allgyer, Economic Service Worker. The Appellant appeared *pro se*. All witnesses were sworn and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 Hearing Summary
- D-2 Notice of Interstate Match (DXPS), dated November 1, 2017
- D-3 Notice of closure, dated November 17, 2017
- D-4 WV Income Maintenance Manual (IMM) Chapter 6.3.3

Appellant's Exhibits:

None

After a review of the record, including testimony, exhibits, and stipulations admitted into evidence at the hearing, and after assessing the credibility of all witnesses and weighing the evidence in consideration of the same, the Hearing Officer sets forth the following Findings of Fact.

FINDINGS OF FACT

- 1) The Appellant had previously been a resident of the state of [REDACTED] receiving SNAP and Medicaid benefits.
- 2) On November 1, 2017, the Appellant was notified on of an Interstate Match that he was receiving benefits outside of the state of West Virginia. The notice instructed the Appellant to contact the West Virginia Office of Inspector General (OIG) no later than November 15, 2017, if he believed the information was incorrect. (Exhibit D-2)
- 3) The Appellant did not contact OIG as instructed in the notification dated November 1, 2017.
- 4) On November 17, 2017, the Respondent sent the Appellant notification that his SNAP and Medicaid benefits would stop December 1, 2017. (Exhibit D-3)

APPLICABLE POLICY

WV IMM §6.3.3 explains that the Public Assistance Reporting Information System (PARIS) data match occurs quarterly conducting matches on income and health coverage information. Verification is received through data exchange and is compared to the information in the case record. A return on this match indicates an individual is enrolled for benefits in two or more states. Automatic disenrollment for the West Virginia program occurs for the matched individuals. [Emphasis added] If the individual is the primary person in the entire case, it will close. (IMM §6.3.3.B)

DISCUSSION

The Respondent received a PARIS Interstate match that the Appellant was enrolled for benefits in two or more states. Per policy, automatic disenrollment for the West Virginia programs occurs for matched individuals. On November 1, 2017, the Respondent sent the Appellant notification that OIG received information that the Appellant was receiving benefits outside of the State of West Virginia. The Appellant was instructed to contact OIG no later than November 15, 2017, if he believed the information was incorrect and he wished to continue receiving his benefits. Because the Appellant had not contacted OIG by November 15, 2017, the Respondent sent notification of closure on November 17, 2017. The Appellant's SNAP and Medicaid benefits were closed effective December 1, 2017.

The Appellant testified that when he had moved to West Virginia, he was under the belief that his benefits were closed in the state of [REDACTED]. He admitted that he had not contacted OIG as instructed on the November 1, 2017 notification. He testified that he submitted a Medicaid termination from the state of [REDACTED] to the local office a few days ago, but did not have a closure verification for his SNAP benefits from the state of [REDACTED]. He did not produce a copy for the hearing.

Per policy, once a PARIS match has been made, automatic disenrollment occurs. The Appellant was notified of the PARIS match and was given an opportunity to continue his benefits by contacting OIG, however, he failed to do so. The Respondent correctly terminated the Appellant's West Virginia SNAP and Medicaid benefits.

CONCLUSIONS OF LAW

1. Policy mandates the automatic disenrollment for West Virginia programs for individuals who are identified by the PARIS Instate Match.
2. The Respondent sent the Appellant notification that he had been identified by the PARIS Interstate Match on November 1, 2017, and was given the opportunity to continue his West Virginia benefits by contacting OIG by November 15, 2017.
3. The Appellant did not contact OIG by November 15, 2017.
4. The Respondent correctly terminated the Appellant's SNAP and Medicaid benefits as of December 1, 2017.

DECISION

It is the decision of the State Hearing Officer to **uphold** the Respondent's automatic disenrollment of the Appellant's West Virginia SNAP and Medicaid benefits.

ENTERED this 17th day of January 2018

Lori Woodward, State Hearing Officer