



**STATE OF WEST VIRGINIA
DEPARTMENT OF HEALTH AND HUMAN RESOURCES
Office of the Inspector General
Board of Review**

**Jeffrey H. Coben, M.D.
Interim Cabinet Secretary**

**Sheila Lee
Interim Inspector General**

April 13, 2023

[REDACTED]

Re: [REDACTED] v WV DHHR
ACTION NO.: 23-BOR-1349

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,

Angela D. Signore
State Hearing Officer
Member, State Board of Review

Encl: Recourse to Hearing Decision
Form IG-BR-29

cc: Rebecca Skeens, WV DHHR, [REDACTED]

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

IN THE MATTER OF:

ACTION NO.: 23-BOR-1349

██████████,

Appellant,

v.

**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' (DHHR) Common Chapters Manual. This fair hearing was convened on March 29, 2023, on an appeal filed March 08, 2023.

The matter before the Hearing Officer arises from the January 30, 2023 determination by the Respondent to apply a three (3) month sanction, thereby, terminating the Appellant's Supplemental Nutrition Assistance Program (SNAP) benefits.

At the hearing, the Respondent appeared by Rebecca Skeens, Economic Service Worker, DHHR. The Appellant appeared *pro se*. Appearing as a witness for the Appellant was ██████████. All witnesses were sworn and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 WV DHHR Notice to Register with WorkForce (WF), dated October 27, 2022
- D-2 WV PATH eligibility system printout of Case Comments, dated December 12, 2022 through January 04, 2023
- D-3 WV DHHR Notice of Decision, dated December 13, 2022
- D-4 WV PATH eligibility system printout of WorkForce WV Registration for ██████████, dated March 21, 2023
- D-5 WV DHHR Notice of Decision – Work Requirement Penalty, dated March 21, 2023
- D-6 West Virginia Income Maintenance Manual (WVIMM) § 14.3.1
- D-7 WVIMM § 14.6.1.B
- D-8 DHHR SNAP Review Notice, dated February November 17, 2022; and DHHR SNAP Review Form, completed December 07, 2023
- D-9 WV PATH eligibility system printout of Case Comments, dated December 12, 2022

- through January 04, 2023
- D-10 WV DHHR Verification Checklist Notice, dated December 13, 2022
 - D-11 WV PATH eligibility system printout of Case Comments, dated January 11, 2023 through March 14, 2023
 - D-12 WV DHHR Notice of Decision, dated January 12, 2023
 - D-13 WV DHHR Notice of Decision, dated January 30, 2023
 - D-14 WV PATH eligibility system printout of SNAP Budget, dated March 21, 2023
 - D-15 WV PATH eligibility system printout of Income Summary, dated March 21, 2023
 - D-16 WVIMM §§ 4.4.3 through 4.4.3.B
 - D-17 WVIMM §§ 3.2.1.A.3 through 3.2.1.A.6

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 was a recipient of Supplemental Nutrition Assistance Program (SNAP) benefits for a four (4) person assistance group (AG).
- 2) On October 27, 2022, the Respondent issued a notice to the Appellant advising [REDACTED] of the need to register with WorkForce West Virginia (WorkForce) or meet an exemption and notify the Department of Health and Human Resources (DHHR) by November 25, 2022. (Exhibit D-1)
- 3) The Appellant failed to register with WorkForce or meet an exemption prior to the established deadline. (Exhibits D-1 through D-5, D-9, and D-12 through D-14)
- 4) Subsequent to the October 2022 notice, on November 17, 2022, the Department issued an additional notice advising the Appellant that his SNAP benefits must be reviewed. Included with the notice was a review form and a telephone appointment scheduled for December 07, 2022. (Exhibit D-8)
- 5) The Department received the Appellant's completed review forms on December 07, 2022. However, the Appellant failed to attend the telephone interview scheduled on this date. (Exhibits D-8 and D-9)
- 6) On December 13, 2022, the Appellant completed an in-person review. (Exhibit D-9)
- 7) On December 13, 2022, the Respondent issued two additional notices of decision to the Appellant informing that effective January 01, 2023, a SNAP work requirement penalty would be applied to [REDACTED] benefits for failure to register with WorkForce or meet an exemption. The notices informed the Appellant that she would remain ineligible for SNAP benefits for a period of three (3) months or until she complied with the registration

requirement, whichever was longer. (Exhibits D-3 through D-5)

8) On January 01, 2023, a three (3) month penalty was applied due to the [REDACTED] failure to register with WorkForce or meet an exemption prior to the established deadline. (Exhibits D-3 through D-5)

9) This is [REDACTED] first violation of the SNAP work requirement. (Exhibits D-3 through D-5)

10) Due to a cost-of-living adjustment (COLA) for Supplemental Security Income (SSI) benefits, the Appellant's total household income increased from \$2,438.90 to \$2,742 beginning January 01, 2023. (Exhibits D-8, and D-11 through D-15)

11) On January 12, 2023, the Respondent issued a notice to the Appellant advising that due to the imposition of a first SNAP work requirement violation for [REDACTED], the Appellant's SNAP benefits would decrease from \$160 to \$66 beginning February 01, 2023. (Exhibit D-12)

12) On January 30, 2023, the Respondent issued an additional notice advising that due to the increase in income, the Appellant's SNAP benefits would end March 31, 2023. (Exhibit D-13)

13) On March 08, 2023, the Appellant requested a Fair Hearing based on the January 30, 2023 Notice of Termination due to failure to register with WorkForce or meet an exemption prior to the established deadline.

14) As of March 29, 2023, the Appellant has not registered with WorkForce. (Exhibit D-4)

APPLICABLE POLICY

Code of Federal Regulations (CFR) §273.7 provides, in part:

(a) Work requirements

(1) As a condition of eligibility for SNAP benefits, each household member not exempt under paragraph (b)(1) of this section must comply with the following SNAP work requirements:

(i) Register for work or be registered by the State agency at the time of application and every 12 months after initial registration. The member required to register need not complete the registration form.

(ii) Participate in a Food Stamp Employment and Training (E&T) program if assigned by the State agency, to the extent required by the State agency;

(iii) Participate in a workfare program if assigned by the State agency;

(iv) Provide the State agency or its designee with sufficient information regarding employment status or availability for work;

(v) Report to an employer to whom referred by the State agency or its designee if the potential employment meets the suitability requirements described in paragraph (h) of this section;

(vi) Accept a bona fide offer of suitable employment, as defined in paragraph (h) of this section, at a site or plant not subject to a strike or lockout, at a wage equal to the higher of the Federal or State minimum wage or 80 percent of the wage that would have governed had the minimum hourly rate under section 6(a)(1) of the Fair Labor Standards Act been applicable to the offer of employment.

(vii) Do not voluntarily and without good cause quit a job of 30 or more hours a week or reduce work effort to less than 30 hours a week, in accordance with paragraph (j) of this section.

(3) Each State agency will determine the meaning of any other terms used in paragraph (a)(1) of this section; the procedures for establishing compliance with SNAP work requirements; and whether an individual is complying with SNAP work requirements. A State agency must not use a meaning, procedure, or determination that is less restrictive on SNAP recipients than is a comparable meaning, procedure, or determination under the State agency's program funded under title IV-A of the Social Security Act.

(b) Exemptions from work requirements

(1) The following persons are exempt from SNAP work requirements:

(ii) A person physically or mentally unfit for employment. For the purposes of this paragraph (b), a State agency will define physical and mental fitness; establish procedures for verifying; and will verify claimed physical or mental unfitness when necessary. However, the State agency must not use a definition, procedure for verification, or verification that is less restrictive on SNAP recipients than a comparable meaning, procedure, or determination under the State agency's program funded under title IV-A of the Social Security Act.

(iii) A person subject to and complying with any work requirement under title IV of the Social Security Act. If the exemption claimed is questionable, the State agency is responsible for verifying the exemption.

(c) State agency responsibilities

(1)

(i) The State agency must register for work each household member not exempted by the provisions of paragraph (b)(1) of this section. The State agency must permit the applicant to complete a record or form for each household member required to register for employment in accordance with paragraph (a)(1)(i) of this section. Household members are considered to have registered when an identifiable work registration form is submitted to the State agency or when the registration is otherwise annotated or recorded by the State agency.

(ii) During the certification process, the State agency must provide a written notice and oral explanation to the household of all applicable work requirements for all members of the

household, and identify which household member is subject to which work requirement. These work requirements include the general work requirement in paragraph (a) of this section, mandatory E&T in paragraph (a)(1)(ii) of this section, and the ABAWD work requirement at § 273.24. The written notice and oral explanation must be provided in accordance with (c)(1)(iii) of this section. This written notice and oral explanation must also be provided to the household when a previously exempt household member or new household member becomes subject to these work requirements, and at recertification.

(iii) The consolidated written notice must include all pertinent information related to each of the applicable work requirements, including: An explanation of each applicable work requirement; which individuals are subject to which work requirement; exemptions from each applicable work requirement; an explanation of the process to request an exemption (including contact information to request an exemption); the rights and responsibilities of each applicable work requirement; what is required to maintain eligibility under each applicable work requirement; pertinent dates by which an individual must take any actions to remain in compliance with each applicable work requirement; the consequences for failure to comply with each applicable work requirement; an explanation of the process for requesting good cause (including examples of good cause circumstances and contact information to initiate a good cause request); and any other information the State agency believes would assist the household members with compliance.

(f) Failure to comply

(2) Disqualification periods. The following disqualification periods will be imposed:

(i) For the first occurrence of noncompliance, the individual will be disqualified until the later of:

(A) The date the individual complies, as determined by the State agency;

(B) One month; or

(C) Up to three months, at State agency option.

(ii) For the second occurrence, until the later of:

(A) The date the individual complies, as determined by the State agency;

(B) Three months; or

(C) Up to six months, at State agency option.

(iii) For the third or subsequent occurrence, until the later of:

(A) The date the individual complies, as determined by the State agency;

(B) Six months;

(C) A date determined by the State agency; or

(D) At the option of the State agency, permanently.

7 CFR 273.10(e) provides, in part:

(e) Calculating net income and benefit levels —

(1) Net monthly income.

(i) 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.

(ii) In calculating net monthly income, the State agency shall use one of the following two procedures:

(A) 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; or

(B) Apply the rounding procedure that is currently in effect for the State's Temporary Assistance for Needy Families (TANF) program. If the State TANF program includes the cents in income calculations, the State agency may use the same procedures for SNAP income calculations. Whichever procedure is used, the State agency may elect to include the cents associated with each individual shelter cost in the computation of the shelter deduction and round the final shelter deduction amount. Likewise, the State agency may elect to include the cents associated with each individual medical cost in the computation of the medical deduction and round the final medical deduction amount.

West Virginia Income Maintenance Manual (WVIMM) 3.2.1.A Who Must Be Included provides, in part:

The SNAP AG must include all eligible individuals who both live together and purchase food and prepare meals together, with the exception of residents of shelters for battered persons.

WVIMM §§ 6.1-6.1.2 Data Exchanges provides, in part:

Federal Data Hub and Income and Eligibility Verification System (IEVS) are electronic sources that perform data matches to verify types of income/assets. Data exchange information available at application and review may be used by the Worker to evaluate discrepancies in the client's statement when it disagrees with Hub data.

Information is provided to the Worker through data exchanges. Information obtained through IEVS is used to verify the eligibility of the AG, to verify the proper amount of benefits, and to determine if the AG received benefits to which it was not entitled.

WVIMM § 7.2.3 Client Responsibilities provides, in part:

The primary responsibility for providing verification rests with the client. It is an eligibility requirement that the client cooperate in obtaining necessary verifications, with an exception being that a client must never be asked to provide verification that he is or is not either a fleeing felon or a probation/parole violator. The client is expected to provide information to which he has access and to sign authorizations needed to obtain other information. Failure of the client to provide necessary information or to sign authorizations for release of information results in denial of the application or closure of the active case, provided the client has access to such information and is physically and mentally able to provide it.

Refusal to cooperate, failure to provide necessary information, or failure to sign authorizations for release of information, provided the client has access to such information and is physically and mentally able to provide it, may result in one of the following:

- Denial of the application
- Closure of the assistance group (AG)
- Determination of ineligibility
- Disallowance of an income deduction or an incentive payment

WVIMM § 10 Appendix A: RSDI/SSI Increases 2023 provides, in part:

In January 2023, Supplemental Security Income (SSI) and Retirement, Survivors, and Disability Insurance (RSDI) recipients received a cost-of-living adjustment (COLA) of 8.7%. The new monthly maximum federal SSI payment levels for 2023 are:

Single – \$914 Couple – \$1,371

Any AG that becomes ineligible for a benefit because of the update will not receive that benefit after February 2023.

WVIMM § 14.2 General SNAP Work Requirements and Exemptions provides, in part:

All SNAP clients are subject to a work requirement unless exempt.

WVIMM § 14.3.1.A Registration Requirements provides, in part:

All individuals must register for employment with WorkForce West Virginia, within 30 days of the date of the original approval, unless exempt according to Section 14.2. Clients must register every 12 months thereafter, regardless of the length of time that WorkForce West Virginia considers the registration valid.

Actions which constitute a registration are defined by WorkForce West Virginia and the eligibility system must:

- Match with WorkForce West Virginia. Registration date updated.
- Match the date returned from WorkForce West Virginia is more than 12 months old. The client must register again.
- Match with WorkForce West Virginia with inactive job status and no job preference. The client must choose a job preference and become active to be considered registered.
- Match with WorkForce West Virginia with inactive job status and with job preference. The client must become active to be considered registered.
- Match with WorkForce West Virginia with active job status and no job preference. The client must choose a job preference to be considered registered.

Once the client registers with WorkForce West Virginia for Supplemental Nutrition

Assistance Program (SNAP) purposes, he cannot be required to register more often than every 12 months, even when the benefit is opened and closed within the 12-month period. This is tracked through the eligibility system.

The client may register by visiting a WorkForce West Virginia office, or by registering online. The Worker must explain these requirements to the client and enter the registration date in the eligibility system.

A client who fails to comply by the due date established on the notice to register is subject to a SNAP penalty and the worker must send an adverse action notice. The penalty is not imposed, and any lost benefits are restored if, before the end of the month in which adverse notice expires, the following occurs: the client registers with WorkForce WV, the individual notifies the DHHR that he or she has registered. If the worker discovers the registration before the penalty goes into effect that the client has registered before the end of the month which the adverse action expires, the penalty may be lifted, and benefits restored.

WVIMM § 14.3.1.B WorkForce WV provides, in part:

During the application and redetermination process, the eligibility system will present a registration date obtained from WorkForce WV. If the client is not registered, no date will be returned. During the certification period, the worker may request the registration date through the eligibility system. When the client is due to re-register, he must show activity to fulfill this requirement. The date of the re-registration is the date of the last action with WorkForce WV or the due date of the re-registration, whichever is later.

WVIMM § 14.5 SNAP Work Requirement Penalties provides, in part:

A SNAP penalty is imposed when clients do not comply with a work requirement and do not have good cause. When determining the correct number of penalties, the Worker must look at the total number of penalties previously served, not just the number of penalties for each work requirement.

The penalty must be served unless the client meets an exemption. The penalty is never applied to an entire AG, only to the client who does not comply. When the reported exemption ends, the client is subject to the original penalty, unless he has complied or meets another exemption.

WVIMM § 14.5.1.B Non-Voluntary Quit Penalties provides, in part:

An individual who refuses or fails to register with WorkForce WV is subject to the following penalties for the full penalty period or until he or she reports a change which makes him or her exempt from the work requirements. For a first violation, the individual is removed from the SNAP AG for at least three (3) months or until he meets an exemption, whichever is later.

DISCUSSION

The Supplemental Nutrition Assistance Program is governed by the U.S. Department of Agriculture Food Nutrition Services (USDA FNS). The USDA FNS determines the guidelines for States to use for budgeting purposes, including, but not limited to, allowable deduction amounts and maximum SNAP issuance amounts. Monthly SNAP allotments are determined by an individual's countable income after all allowable deductions have been applied.

(Sanction + Reduction of SNAP benefits)

The Respondent bears the burden of proof to establish that action taken against the Appellant was in accordance with policy. The Respondent had to prove by a preponderance of evidence that a member of the Appellant's SNAP AG was correctly terminated, and a first sanction applied based on non-compliance with the WorkForce registration requirement.

By notice of decision dated October 27, 2022, the Respondent notified the Appellant that [REDACTED], the Appellant's spouse, was required to register with WorkForce or meet an exemption by November 25, 2022, in order to comply with SNAP policy. On December 13, 2022, when [REDACTED] failed to register with WorkForce or meet an exemption, the Respondent issued two additional notices of decision. The notices informed the Appellant that due to [REDACTED] failure to register with WorkForce or meet an exemption, a work requirement sanction had been applied and [REDACTED] SNAP benefits would terminate effective January 01, 2023. The decision notified the Appellant that she would remain ineligible for SNAP benefits for a period of three (3) months or until she complied with the registration requirement or met an exemption, whichever was longer. The December 13, 2022 notice further advised that because the number of people receiving SNAP benefits has decreased, and because shelter/utility costs are less, the Appellant's monthly SNAP allotment would decrease from \$160 to \$66, effective February 01, 2023.

The Appellant testified that after leaving the [REDACTED] DHHR office on December 13, 2023, he and [REDACTED] traveled in person to the WorkForce office in order for [REDACTED] to fulfill the SNAP work requirement registration. The Appellant argued that upon their arrival, [REDACTED] "did her paperwork" but was notified that "the machines were down" and a copy could not provide to her. Although the Appellant argued that [REDACTED] had registered with WorkForce, a WV PATH eligibility system screenshot of the WorkForce WV Registration page dated March 21, 2023, was provided which presented a blank WorkForce registration date, indicating an incomplete WorkForce registration for [REDACTED]. At the time of the hearing, the Respondent again reviewed the Appellant's WorkForce registration and testified that the WV PATH eligibility system again failed to produce a registration date.

Pursuant to policy, an individual must register with WorkForce by visiting a WorkForce office, calling, or by registering online, yearly, as a condition of eligibility to receive SNAP benefits, unless an exemption is met. A penalty may be removed, if an individual registers with WorkForce or meets an exemption prior to the effective date of the SNAP penalty. Policy further establishes that WorkForce registration data is verified upon receipt and is not subject to independent verification. Because the Respondent's multiple reviews of the Appellant's WorkForce registration data reflected that [REDACTED] was not registered with WorkForce for SNAP purposes, and because the Appellant failed to report any barrier they may have experienced at the time of registration, the preponderance of evidence established that the Respondent acted in accordance to the policy and a three (3) month work requirement penalty resulting in a reduction of SNAP benefits is correct.

(Termination of SNAP benefits)

The Respondent bears the burden of proof to establish that action taken against the Appellant was in accordance with policy. The Respondent had to prove by a preponderance of evidence that the Appellant's SNAP benefits were correctly terminated due to an increase in total household income. In January 2023, Supplemental Security Income (SSI) and Retirement, Survivors, and Disability Insurance (RSDI) recipients received a cost-of-living adjustment (COLA) of 8.7%. The new monthly maximum federal SSI payment levels for 2023 for single recipients is \$914. Any AG that becomes ineligible for a benefit because of the update will not receive that benefit after February 2023.

During the hearing, the Appellant contested the inclusion of income for both children, arguing that monies received on their behalf are used solely for their benefit and not that of the household. The Appellant further contested his amount of income, arguing that an over payment deduction of \$91.40 should be subtracted from his monthly income. The Respondent testified that according to the Federal Data Hub and Income and Eligibility Verification System (IEVS), the Appellant's monthly income was listed as \$914. The Respondent further testified that because of this, the Appellant was asked to provide the Department with documentation for verification purposes in order to allow the \$91.40 deduction, but the Appellant refused to do so. The Appellant contested the Respondents request arguing that he was "not going to do their leg work for them."

Pursuant to policy, a AG must include all eligible individuals who live together and purchase and prepare meals together. All income, both earned and unearned, is included when determining SNAP eligibility and benefit amounts, unless explicitly excluded by statute. Social Security payments are not excluded, and therefore must count as income. Additionally, the primary responsibility for providing verification *rests with the client* [emphasis added]. It is an eligibility requirement that the client cooperate in obtaining *all* [emphasis added] necessary verifications in order for the Department to make correct benefit eligibility determinations. The client is expected to provide information to which he has access, and to sign any authorizations needed in order to obtain other information.

Due to a COLA for SSI benefits, the Appellant's total household income increased from \$2,438.90 to \$2,742 beginning February 01, 2023. As determined by policy, the steps to calculate the Appellant's monthly SNAP allotment are as follows: \$2,742 total income - \$193 standard deduction = \$2,549, thus determining the Appellant's total countable income for SNAP purposes at \$2,549 after applicable deductions. Because the total shelter/SUA costs for the Appellant do not exceed 50% of the household's remaining income, the Appellant is not entitled to the shelter/SUA deduction. When compared to the coupon allotment chart found in policy for an AG of three (3) (due to the three (3) month work requirement penalty applied to a member of the Appellant's AG), the household is entitled to receive \$0 in monthly SNAP benefits. Because the Appellant's countable monthly income exceeds the allowable limit per month as established by policy, the Respondent was correct to terminate the Appellant's SNAP benefits.

CONCLUSIONS OF LAW

- 1) The Appellant was required to comply with SNAP work requirements by either registering with WorkForce or meeting an exemption no later than November 25, 2022.

- 2) Because the Appellant failed to register with WorkForce or meet an exemption prior to the SNAP penalty imposition, the penalty cannot be removed.
- 3) Because the penalty against a member of the Appellant's AG is a first offense, this AG member is ineligible for SNAP benefits for a period of three (3) months.
- 4) To be eligible for SNAP benefits, the Appellant's monthly income had to be equal to or below \$2,495.
- 5) The Appellant's countable monthly income of \$2,549 exceeds SNAP eligibility income guidelines.
- 6) Because the Appellant's countable monthly income exceeds the allowable limit established by policy, the Respondent correctly terminated the Appellant's SNAP benefits.

DECISION

It is the decision of the State Hearing Officer to **UPHOLD** the Respondent's decision to terminate the Appellant's monthly SNAP benefits effective April 1, 2023.

ENTERED this _____ day of April 2023.

Angela D. Signore
State Hearing Officer