

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. R-01/17-51
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Appeal of)
)
)

INTRODUCTION

The petitioner appeals a decision by the Department for Children and Families, Economic Services Division, reducing her 3SquaresVT benefits from \$194 to \$193 effective January 1, 2017. The issue is whether the Department correctly determined her eligibility in light of an increase in the petitioner's income.

The following findings are not in dispute, and are based on the representations of the parties at and documents submitted pursuant to a telephone hearing held on February 7, 2017.

FINDINGS OF FACT

1. The petitioner lives alone and receives Social Security benefits. In 2016 her Social Security payments were \$1,243 a month. Beginning January 1, 2017, the petitioner received a COLA increase in these benefits to \$1,247 a month.

2. Based on this additional income, the Department notified the petitioner, in a decision dated January 11,

2017, that her 3SquaresVT benefits would be reduced from \$194 to \$193 a month effective February 1, 2017.

3. The petitioner appealed because she does not feel that COLA increases in Social Security benefits should trigger a decrease in 3SquaresVT benefits.¹

ORDER

The Department's decision is affirmed.

REASONS

The 3SquaresVT program (formerly food stamps) was created to combat hunger and malnutrition among low-income households. Rule § 271.10. The amount of benefits that a household receives is based upon a complex formula that is set out in the regulations. Rules §§ 273.9 *et seq.*

This formula includes all income except that which is specifically excluded. Rules §§ 273.9(b) and (c). The rules specifically define unearned income to include the current amount of Social Security benefits received by a household. In the petitioner's case, under the regulations the recent \$4-a-month increase in her Social Security benefits results

¹At the hearing the petitioner stated that she also wished to terminate the direct deposit of her 3SquaresVT benefits, which appeared to have been held up because of this pending hearing. The Department agreed to do this expeditiously.

in a \$1-a-month decrease in her 3SquaresVT benefits.
Procedures Manual § P-2590D.

Thus, the Department's decision reducing the
petitioner's 3SquaresVT benefits must be affirmed. 3 V.S.A.
§ 3091(d), Fair Hearing Rule No. 1000.4D.

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