



3. Until recently, the petitioner frequently drove himself in the van from his home in Shelburne to the VA hospital in White River Junction for medical appointments. The petitioner concedes that alternative transportation to the VA and any other medical appointments is available to him through Medicaid transportation services.

ORDER

The Department's decision is affirmed.

REASONS

Food Stamp Manual § 273.9(d)(3) provides that certain medical expenses in excess of \$35 a month are deductible from a household's gross income in determining its eligibility for Food Stamps. The allowable deductions listed in the regulation include the following:

ix. Reasonable cost of transportation and lodging to obtain medical treatment or services. . .

The Department maintains that under the above regulation it can allow the petitioner a deduction for his costs (which under the regulation are presently \$.31 per mile) to drive to medical appointments. However, the Department does not consider the purchase price of the van or monthly payments toward the purchase price as deductible because the petitioner does not require a van to obtain needed medical services. The

only provision in the regulations whereby the cost of purchasing and maintaining a vehicle can be considered deductible from income is when the vehicle is used in a recipient's employment. See F.S.M. § 273.11. Inasmuch as the Department's decision in this matter is in accord with the regulations it must be affirmed. 3 V.S.A. 3091(d), Fair Hearing Rule No. 17.

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