

STATE OF VERMONT  
HUMAN SERVICES BOARD

In re ) Fair Hearing No. 10,009  
 )  
Appeal of )

INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare reducing her Food Stamps. The issue is whether income set aside by the petitioner in a PASS account created pursuant to an agreement with the Social Security Administration constitutes a "reimbursement" to the petitioner and should, thus, be considered an exclusion from the petitioner's unearned income for Food Stamp purposes.

FINDINGS OF FACT

The petitioner is disabled. She receives Social Security (OASDI) benefits and SSI. She is attending a community college and has been approved by Social Security, pursuant to a "PASS plan," to set aside her entire OASDI check (\$360.00 a month) to use exclusively for her education.

The parties agree that the facts and the issues in this case are undistinguishable from those in Fair Hearings No. 8989 and 9549.

ORDER

The Department's decision is reversed.

REASONS

The board's reasoning in Fair Hearings No. 8989 and 9549 is adopted and incorporated by reference herein.

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