

STATE OF VERMONT
HUMAN SERVICES BOARD

In re) Fair Hearing No. 10,821
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare granting him supplemental fuel assistance benefits in an amount lower than the amount he received last year. The issue is whether the Department's decision is in accord with the pertinent regulations.

FINDINGS OF FACT

The petitioner and his family live on a fixed income of \$748.00 a month (Social Security and S.S.I. disability payments). They have been recipients of supplemental fuel assistance for several years. This year, because of an expected increase in demand for the limited federal appropriation that sustains this program, the Department implemented an "across-the-board" reduction of 32% in the benefits payable to all eligible households. The petitioner filed this appeal when he was notified that his benefits for the 1991-92 heating season would be 32% lower than last year.¹

The petitioner takes no issue with the Department's calculations or with the legal validity of the regulations.

He uses electric heat and he expects (probably correctly) that his supplemental fuel assistance benefits will not be sufficient to pay his increased electric bills

this winter.²

ORDER

The Department's decision is affirmed.

REASONS

Effective October 21, 1991, the Department amended its fuel assistance payment schedules to implement the 32% across-the-board decrease in supplemental fuel assistance payments. W.A.M. § 2907 and Procedures Manual § P-2905(F).³

The petitioner does not dispute either the Department's accuracy in computing his resulting benefits or the legal validity of the percentage decrease in aid. There being no factual or legal basis for the board to reverse or modify the Department's decision, that decision must be affirmed.

3 V.S.A. § 3091(d) and Fair Hearing Rule No. 19.

FOOTNOTES

¹On November 27, 1991, (after the petitioner filed his request for fair hearing) the Department issued another change in Supplemental Fuel Assistance reinstating, effective December 1, 1991, payment rates to their 1990-1991 levels. DSW Bulletin No. 91-60P.

²The petitioner was advised that if his family has an emergency need for further assistance this winter he can and should apply to the Department for emergency assistance if and when such need arises.

³See Footnote 1, supra.

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