

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 12,787

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Appeal of)

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INTRODUCTION

The petitioner appeals the decision by the Department of Social Welfare denying her request to replace \$90.00 in food stamp coupons stolen from her in April, 1994. The issue is whether such replacement is allowed under the pertinent regulations.

FINDINGS OF FACT

On or about April 14, 1994, the petitioner reported to the Department that a few days before about \$90.00 in food stamps (which was the amount that remained of her \$112.00 allotment for that month) had been stolen out of her purse that she had left unattended for a short period of time at a social gathering. The Department does not dispute the petitioner's claim, but maintains that it is barred by regulation from replacing food stamps that are lost or stolen after the recipient has received them by mail.

ORDER

The Department's decision is affirmed.

REASONS

Under the food stamp regulations replacement coupons can be issued "only if the coupons are reported stolen from the mail or lost in the mail in the period of their intended use . . ." 7 C.F.R. § 274.3(c)(1); see also F.S.M. § 273.11(i)(1). There is no provision in the regulations for the replacement of food

stamp coupons lost or stolen after they have been received by the recipient in the mail. Inasmuch as the Department's decision is in accord with the pertinent regulations it must be affirmed. 3 V.S.A. § 3091(d) and Food Stamp Fair Hearing No. 17.

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