

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 16,925
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of PATH finding reducing the amount of her Food Stamp benefits due to an increase in her income.

FINDINGS OF FACT

1. The petitioner is a single woman who until recently received \$130.00 per month in Food Stamp benefits because she had no income other than General Assistance (GA) benefits. As of January 1, 2001, the petitioner began receiving \$589.80 per month in SSI benefits.

2. Based on this information, the Department recalculated the petitioner's eligibility using the \$589 per month figure. Based on the petitioner's reported shelter expenses and a standard deduction of \$134.00 per month, the Department notified the petitioner that effective March 1, 2001 her Food Stamps would be reduced to \$26 a month. The petitioner does not dispute the Department's calculations.

ORDER

The decision of the Department is affirmed.

REASONS

The Food Stamp regulations allow certain specific deductions from income, including a \$134.00 standard deduction, a deduction for excess medical expenses, a deduction for dependent care expenses, and a deduction for excess shelter expenses. F.S.M. 273.9(d). As noted above, the petitioner does not dispute that according to the regulations her net income makes her eligible for \$26.00 a month in Food Stamp benefits.¹ P-2590 D. Inasmuch as the Department correctly calculated the petitioner's eligibility under its regulations, the Board must uphold its decision. 3 V.S.A. § 3091(d), Fair Hearing Rule 17.

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¹ At the hearing in this matter, held on February 22, 2001, the Department advised the petitioner that under the regulations it would also deduct any out-of-pocket medical expenses in excess of \$35 that she could demonstrate were necessary.