

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 17,044
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of PATH reducing her Food Stamps. The issue is whether SSI benefits received by the petitioner's son constitute income available to the household in computing the household's Food Stamp allotment.

FINDINGS OF FACT

1. The facts are not in dispute. The petitioner lives with her three children. Prior to April 2001 the petitioner provided the household's sole source of income.

2. In April, however, the petitioner's son, who is disabled, became eligible for SSI payments of \$321 a month. The Department counted this payment as additional income to the household and reduced the petitioner's Food Stamps from \$248 to \$115 a month effective May 1, 2001.

3. The petitioner does not dispute that the Department correctly calculated her household's income. She does not feel,

however, that her son's SSI should be counted to reduce the family's Food Stamps. The petitioner maintains that after the Food Stamp reduction and a reduction in her housing subsidy that also resulted from her son's eligibility for SSI the household only netted an increase in income of \$106 a month. The petitioner states she uses this income to obtain services for her son not covered by Medicaid.

ORDER

The Department's decision is affirmed.

REASONS

Food Stamp Manual § 273.1(a) requires that parents who live together with minor children must be considered a single household. Section 273.9 of the regulations provides that all unearned income of any household member, including SSI, must be included in determining that household's eligibility for Food Stamps. Inasmuch as the Department's decision in this matter is in accord with the above regulations the board is bound by law to affirm it. 3 V.S.A. § 3091(d) and Fair Hearing Rule No. 17.

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