

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 17,675
)
Appeal of)

INTRODUCTION

The petitioner appeals the decision by the Department of Prevention, Assistance, Transition, and Health Access (PATH) terminating her eligibility for VHAP. The issue is whether the petitioner's status as a college student renders her ineligible under the pertinent program regulations.

FINDINGS OF FACT

1. The petitioner is between twenty-three and fifty and has been enrolled full time as a college student since August 2001. In February 2002 she underwent a routine review of her eligibility under VHAP. At that time the Department determined that it had erroneously granted petitioner VHAP because it had not properly considered her student status. In a decision dated February 20, 2002 the Department terminated the petitioner's eligibility effective February 28, 2002.

2. The petitioner admits that she is a full-time college student, has no dependents, is not disabled, and that she is

neither working nor enrolled in a work-study or government-sponsored training program.

ORDER

The Department's decision should be affirmed.

REASONS

The regulations under VHAP regarding student status are reproduced as follows.

As noted above, the petitioner concedes that she does not meet any of the exemptions under section (a) or conditions under section (b) of the above regulation. Although the petitioner was initially granted VHAP in error by the Department, inasmuch as she concedes that she does not meet the above criteria for eligibility the Department's decision in this matter must be affirmed.

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