

STATE OF VERMONT

HUMAN SERVICES BOARD

In re) Fair Hearing No. 18,292
)
Appeal of)
)

INTRODUCTION

The petitioner appeals the decision by the Department of Prevention, Assistance, Transition, and Health Access (PATH) terminating her Reach Up Financial Assistance (RUFA) benefits. The issue is whether the petitioner has an eligible child in her household. The following facts are not in dispute.

FINDINGS OF FACT

1. The petitioner lives with her daughter, who turned nineteen on January 24, 2003.

2. Shortly thereafter the Department notified the petitioner that her RUFA and Medicaid grants would terminate because there was no longer an eligible child in the petitioner's household.

3. The Department subsequently found the petitioner eligible for Medicaid on the basis of her disability. The petitioner is in the process of applying for SSI disability benefits.

ORDER

The Department's decision is affirmed.

REASONS

To be eligible for RUFA a household must contain at least one "eligible child". W.A.M. § 2242. An eligible child must meet all the criteria of "need, age and residence". W.A.M. § 2242.1. The criteria for age are being under eighteen or being under nineteen if a high school student expected to graduate before reaching age nineteen. W.A.M. § 2301. Under no circumstances are individuals over the age nineteen eligible for RUFA as eligible children once they reach age nineteen.

Inasmuch as the Department's decision in this matter correctly reflects the fact that there were no eligible children in the petitioner's household as of January 24, 2003, the day the petitioner's daughter turned nineteen, it must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

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