

III. Discussion

Food Stamps is a federal program administered by the state.⁴ Alaska follows the rules in the Code of Federal Regulations (C.F.R.) when determining Food Stamp eligibility.⁵

In general, the federal regulation at 7 C.F.R. § 273.1(b)(7)(vi) makes individuals ineligible for Food Stamps if they receive “over 50 percent of three meals daily” from an institution. Mr. N agrees that he is in this category. The only exceptions relate to certain individuals in federally subsidized elderly housing, in group living arrangements for disabled or blind people, in homeless or battered women’s shelters, or in treatment facilities for addiction. Mr. N is not in any of these subcategories, and therefore he is not eligible for the Food Stamp program while he is residing at No Name.

IV. Conclusion

The Division was correct to terminate Mr. N’s Food Stamp benefits. The March 14, 2014 decision to close his Food Stamps case is affirmed.

DATED this 24th day of April, 2014.

Signed

Christopher Kennedy
Administrative Law Judge

Adoption

The undersigned, by delegation from of the Commissioner of Health and Social Services, adopts this Decision, under the authority of AS 44.64.060(e)(1), as the final administrative determination in this matter.

Judicial review of this decision may be obtained by filing an appeal in the Alaska Superior Court in accordance with Alaska R. App. P. 602(a)(2) within 30 days after the date of this decision.

DATED this 8th day of May, 2014.

By: *Signed*

Name: Christopher M. Kennedy
Title: Administrative Law Judge

[This document has been modified to conform to the technical standards for publication.]

⁴ 7 C.F.R. § 271.4(a).

⁵ 7 AAC 46.010.