BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL BY THE COMMISSIONER OF HEALTH

)

In the Matter of

D. Q.

OAH No. 23-0380-SNA

DECISION

I. Introduction

D. Q. started a new job in January, which gave her a gross income that exceeded the limit to continue receiving Supplemental Nutrition Assistance Program ("SNAP") benefits. The Department of Health, Division of Public Assistance ("DPA") thus issued a decision stating that she is no longer eligible. D. Q. does not dispute her income level, only that her needs are greater. Federal law unfortunately sets a strict income limit. D. Q. currently exceeds that limit. Accordingly, DPA's decision is affirmed. There is a strong possibility that D. Q.'s income will not exceed the limit come October 2023, however, so D. Q. is encouraged to revisit her eligibility then.

II. Facts

D. Q. is a single mother to one son who has been receiving SNAP benefits.¹ She has also applied for disability benefits for herself and her son, but has not yet qualified.² D. Q. started a new full-time job on January 19, 2023, making \$15 per hour.³ The income from this job is not enough for D. Q. to pay all her bills and feed herself and her son.⁴

DPA determined that D. Q.'s gross income exceeds the limit to continue qualifying for SNAP and sent D. Q. notice on May 2, 2023 that she would no longer receive SNAP benefits. D. Q. appealed. A hearing was convened on July 5, but continued so D. Q. could get a copy of DPA's position statement and supporting documents. The hearing was held in full on July 12.

III. Discussion

To receive SNAP benefits, a household's income may not exceed a gross income limit.⁵ The federal government sets the gross income limit every October based on federal poverty

¹ D. Q. testimony.

² Id.

³ Ex. 2.

⁴ D. Q. testimony.

 $^{^{5}}$ 7 C.F.R. 273.9(a)(1); Ex. 6. There are different rules for households that include persons who are elderly or have been determined to be disabled by the Social Security Administration. 7 C.F.R. 273.9. If D. Q. is successful in obtaining SSI benefits for herself or her son, she may want to explore reapplying for SNAP benefits.

guidelines.⁶ For Alaska, the limit is 130 percent of the federal poverty guidelines for Alaska.⁷ The gross income limit for a two-person household in Alaska, set in October 2022 and applicable through September 30, 2023, is \$2480 per month.⁸

Based on working 40 hours per week at \$15 dollars per hour and a standard average of 4.3 weeks per month, D. Q. has a gross monthly income of \$2580 per month.⁹ D. Q. did not dispute that this is her income, only that her income is insufficient without the assistance of SNAP benefits. Unfortunately, federal law sets a strict gross income limit. As of January 2023, when D. Q. started her new job, her gross monthly income of \$2580 exceeded the monthly limit of \$2480. Accordingly, DPA correctly determined she was no longer eligible for SNAP benefits.

The gross income limit, however, changes every October 1. Earlier this year, the federal government increased the poverty guidelines for Alaska.¹⁰ That increase should be reflected in the SNAP income limits as of October 1. Based on the new poverty guidelines and D. Q.'s current income, it looks quite likely she will be under the gross income limit come October. D. Q. is thus strongly encouraged to revisit her SNAP eligibility as of October 1, 2023.

IV. Conclusion

Because D. Q.'s gross income exceeds the current limit for SNAP eligibility, DPA correctly determined that she was no longer eligible for SNAP benefits. DPA's decision is affirmed.

DATED: July 12, 2023.

<u>Signed</u> Rebecca Kruse Administrative Law Judge

⁶ 7 C.F.R. 273.9(a)(3).

⁷ 7 C.F.R. 273.9(a)(1)(1)(ii).

⁸ Ex. 6; <u>https://fns-prod.azureedge.us/sites/default/files/resource-files/FY23-Income-Eligibility-</u>Standards.pdf.

 $[\]frac{2}{9}$ Ex. 3.

¹⁰ 88 FR 3424 (available at https://www.federalregister.gov/documents/2023/01/19/2023-00885/annual-update-of-the-hhs-poverty-guidelines).

Adoption

The undersigned, by delegation from the Commissioner of Health, 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 26th day of July, 2023.

By: <u>Signed</u>

Rebecca Kruse Administrative Law Judge

[This document has been modified to conform to the technical standards for publication. Names may have been changed to protect privacy.]