

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

In the Matter of	)	
	)	
T. B.	)	OAH No. 25-3027-SNA
_____	)	

DECISION

I. Introduction

T. B. applied for Supplemental Nutrition Assistance Program (SNAP) benefits in March 2025. After processing her application, the Division of Public Assistance (Division) issued a denial on April 29, 2025. Ms. B. submitted a request for hearing on August 22, 2025, more than 90 days after the Division’s decision. The Division issued a non-referral based on the untimeliness of her request. On September 11, 2025, Ms. B. submitted a timely request for a hearing on the non-referral, which was transmitted to the Office of Administrative Hearings (OAH). A hearing was held before OAH on November 13, 2025. Ms. B. appeared telephonically, represented herself and testified on her own behalf. The Division was represented by Marie Thirlwell, Public Assistance Analyst II. Because more than 90 days had passed since the Division’s decision, Ms. B.’s request for hearing on the denial of benefits was untimely and must be DISMISSED.

II. Facts

On March 27, 2025, Ms. B. applied for SNAP benefits.¹ The Division processed the application and requested additional information related to several items of personal and business property she reported having transferred within the last five years.² Ms. B. did not provide the requested information, and the Division denied her application on April 29, 2025.³ The denial was mailed to her confirmed address of record, and she received it during the first week of May.⁴

Ms. B. lives approximately 12-15 miles outside of Town A.⁵ To travel into town, she drives a four-wheeler from her home to Beach A and then obtains a ride to access services such as the Division office, the post office, and the library.⁶ She retrieved her mail—including the

¹ Div. Ex. 2-2.25
² Div. Ex. 3-3.1.
³ Div. Ex. 4.
⁴ Div. Ex. 4; Div. Ex. 9.16; *see also* testimony of T. B..
⁵ Testimony of T. B..
⁶ *Id.*

Division's denial—at the post office on May 7, 2025.⁷ She was again in town on May 8 and May 9, 2025, and again later on June 9, 2025.⁸ She made no attempt to travel into town in July or before August 22, 2025.⁹

Ms. B. submitted a request for hearing on the Division's denial on August 22, 2025.¹⁰ Because more than 90 days had passed since the denial, the Division issued a non-referral notice advising her that her untimely request would not be referred to OAH.¹¹ On September 11, 2025, Ms. B. submitted a timely request for hearing on the non-referral.¹²

A formal hearing was held before OAH on November 13, 2025. Ms. B. appeared telephonically, represented herself and testified on her own behalf. Ms. Thirlwell, Public Assistance Analyst II, appeared telephonically for the Division and presented evidence. Exhibits 1-13.1 were entered into evidence.

III. Discussion

SNAP is a federal program administered by individual states, and the state agencies must comply with federal program requirements.¹³ Under federal law, a household is “allowed to request a hearing on any action by the State agency or loss of benefits which occurred in the prior 90 days.”¹⁴ Here, Ms. B. did not request a fair hearing within 90 days of the Division's April 29, 2025, denial of her application. She does not dispute that she filed her request for a hearing on August 22, 2025, twenty-five days after the July 8, 2025, deadline.¹⁵

A hearing request may be accepted after the 90-day period only if the administrative law judge finds, based on the evidence submitted, that the request could not have been filed within the time limit.¹⁶ Ms. B. asserts that her remote location prevented her from travelling to Town A to file her request for a hearing within the deadline.¹⁷ The evidence shows, however, that Ms. B. was in town on twice immediately after receiving the denial, and again approximately one month later. Ms. B. did not testify that she was unable to travel into town after June 10, 2025; rather

⁷ Div. Ex. 9.16; *see also* testimony of T. B..

⁸ Div. Ex. 10; Div. Ex. 11-11.3; Div. Ex. 12-12.8; *see also* testimony of T. B..

⁹ Testimony of T. B..

¹⁰ Div. Ex. 5.

¹¹ Div. Ex. 7; *see also* 7 C.F.R. § 273.15(g).

¹² Div. Ex. 9-9.49.

¹³ 7 C.F.R. § 271.4(a)

¹⁴ 7 C.F.R. § 273.15(g).

¹⁵ Testimony of T. B..

¹⁶ 7 AAC 49.030(a).

¹⁷ Testimony of T. B..

she acknowledged that she made no attempt to do so between June 10 and August 21, 2025.¹⁸ The evidence does not support a finding that Ms. B. could not have filed her request within the 90-day deadline. Because her request for a hearing was not timely, neither the Division nor OAH can consider her appeal of the denial of her SNAP application. Therefore, her request for a hearing is dismissed.

Information received during the hearing indicates that Ms. B. may not have had a clear understanding of the type of property she needed to report having transferred within the last five years. Ms. Thirlwell provided information to Ms. B. to clarify what she needs to report. Nothing in this decision prohibits Ms. B. from applying for SNAP benefits again and she is encouraged to do so if she requires that assistance.

IV. Conclusion

Ms. B.'s request for a hearing was not timely because it was received more than 90 days after the date of the Division decision that she was contesting. Ms. B.'s request for a fair hearing is dismissed.

Dated: November 19, 2025

SIGNED
Beth Goldstein
Administrative Law Judge

¹⁸ Testimony of T. B..

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 10th day of December, 2025.

By: SIGNED

Name: Daniel R. Phelps II

Title: Process Improvement Manager

Office of the Commissioner

Alaska Department of Health

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