

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

In the Matter of	)	
	)	
T. T.	)	OAH No. 25-2451-ADQ
_____	)	

DECISION

I. INTRODUCTION

T. T. received Supplemental Nutrition Assistance Program (“SNAP”) benefits for March and April 2025 based on a three-person household that included her minor daughter. The Division of Public Assistance (“Division”) initiated this Administrative Disqualification case against Ms. T., alleging that her daughter was not living with her during that time and that she intentionally misrepresented this fact on her application.

The Division demonstrated that Ms. T. was overpaid SNAP benefits for these two months. The Division has also shown by clear and convincing evidence that this overpayment resulted from an intentional misrepresentation by Ms. T.. Accordingly, Ms. T. will repay overpayment benefits and she is disqualified from participation in the SNAP program as detailed further below.

II. FACTS

T. T. applied for SNAP benefits on March 14, 2025.¹ On the application, Ms. T. stated that her household consisted of herself and her minor daughter, F., and marked that F. lived with her full time.² As part of the application, Ms. T. signed an acknowledgement that she had read a Rights and Responsibilities statement and certified under penalty of perjury that the information she provided in the application was true and correct.³ The Rights and Responsibilities statement advises applicants that concealing information or making false statements on a SNAP application can result in loss of benefits, repayment of overpaid benefits, and other penalties.⁴

The Division conducted an eligibility interview with Ms. T. on May 14, 2025. Division records from that interview indicate that Ms. T. identified a third member of the household at

¹ Ex. 10.
² *Id.* at 2-3.
³ Ex. 10 at 12.
⁴ Ex. 8 at 4.

that time, 21-year-old N. T..⁵ On her application, Ms. T. had identified N. T. as being her landlord.⁶ Records further note that the Division reviewed its Rights and Responsibilities statement with Ms. T. and that she understood it and had no questions.⁷

Based on Ms. T.'s representations, the State approved SNAP benefits for a three-person household, starting March 2025.⁸ The Division later investigated Ms. T. and determined that F. has been in Office of Children's Services ("OCS") custody and not living in Ms. T.'s home starting January 27, 2025.⁹ The Division concluded that Ms. T. intentionally misrepresented to the Division that F. was a member of her household.¹⁰ The Division reduced her SNAP benefits to those for a two-person household starting with May 2025.¹¹ For March and April 2025, Ms. T. received a total of \$473 in SNAP benefits that she would not have received if she had applied as a two-person household including herself and N., but not F., who was in foster care at the time.

The Division notified Ms. T. of an Administrative Disqualification Hearing.¹² The notice advised Ms. T. that the Administrative Law Judge would call her for the hearing at the phone number listed at the top of the notice. This was the same phone number Ms. T. provided on her March 2025 SNAP application and the only phone number the Division has on record for her.¹³ As specified in the notice, a telephonic hearing was held on September 11, 2025. Ms. T. was called at that time, but her phone number of record was not in service. The hearing proceeded in her absence, as provided for in federal regulation.¹⁴ Noelle Umbarger, an investigator with the Division's Fraud Control Unit, represented and testified on behalf of the Division. Eligibility technician Daryl Johnson also testified.

III. DISCUSSION

A person who intentionally makes false or misleading statements or omits facts on a SNAP application is responsible for paying back any overpayment as restitution and can be

⁵ Ex. 7.
⁶ Ex. 10 at 13.
⁷ *Id.*; Daryl Johnson testimony.

⁸ Ex. 13-14.
⁹ Ex. 1 ¶ 13, Ex. 12.
¹⁰ Ex. 1, ¶¶ 13-15.
¹¹ Ex. 11; Noelle Umbarger testimony.
¹² Ex. 3.
¹³ Ex. 10 at 1.
¹⁴ 7 C.F.R. 273.16(e).

disqualified from receiving benefits for one year for a first offense.¹⁵ The Division has the burden of demonstrating intentional violations by clear and convincing evidence.¹⁶

For SNAP benefits, a person under 22 years of age living with a natural parent is a member of the parent's household.¹⁷ On her application and in her eligibility interview, Ms. T. represented that F. was living with her. That was not true. The Division submitted OCS records showing that as of April 24, 2025, F. had been in OCS custody since January 27, 2025.¹⁸ When Ms. T. filled out her SNAP application in March 2025 and listed F. as living with her full time, she would have known that in fact her daughter had been removed from the home and was living in foster care. Ms. T. was notified that providing false information could result in penalties, signed an acknowledgement of her obligation to provide truthful information and potential penalties for failing to do so, and indicated during her eligibility interview that she understood this and other obligations and potential consequences. Ms. T. nonetheless misrepresented that F. was living in her home and received SNAP benefits for March and April 2025 commensurate with a three-person household when her household at the time had only two members.

Accordingly, the Division has met its burden to demonstrate that Ms. T. intentionally misrepresented facts on her SNAP application and that this misrepresentation resulted in an overpayment for March and April 2025 of \$473. This is Ms. T.'s first intentional program violation of the SNAP program.¹⁹

IV. CONCLUSION

At the time Ms. T. applied for SNAP as a three-person household, her daughter F. was not living in her home and thus was not a member of the household. Ms. T.'s representations that F. was living with her at that time were intentional and false.

Ms. T. committed a first time Intentional Program Violation of the SNAP program. Ms. T. is disqualified from receiving benefits for 12 months starting November 1, 2025.²⁰

These disqualifications apply only to Ms. T. and not to other individuals in her household. If other household members seek benefits during the disqualification period, Ms. T.

¹⁵ 7 U.S.C. § 2015(b)(1); 7 C.F.R. § 273.16(b), (c).

¹⁶ 7 C.F.R. § 273.16(e)(6); 7 AAC 45.585(d).

¹⁷ 7 C.F.R. § 273.1(b)(ii).

¹⁸ Ex. 12.

¹⁹ Ex. 1 at 6.

²⁰ 7 C.F.R. § 273.16(b)(13), (e)(8)(i).

will need to report her income and resources, but her own needs will not be considered when determining SNAP eligibility or benefit amounts.²¹

The Division will provide written notice to Ms. T. and any other household members of the benefits they will receive during the period of disqualification or if they need to reapply.²²

If there were over-issued benefits that have not been repaid, Ms. T. or any remaining household members are now required to make restitution.²³ If Ms. T. disagrees with the Division's calculation of \$473 in overpaid benefits, she may request a separate hearing on that limited issue.²⁴

Dated: September 16, 2025

SIGNED
Rebecca Kruse
Administrative Law Judge

²¹ 7 C.F.R. § 273.16(b)(11), (c)(1).

²² 7 C.F.R. § 273.16(e)(9)(ii).

²³ 7 C.F.R. § 273.16(b)(12); 7 C.F.R. § 273.16(e)(8)(iii).

²⁴ 7 C.F.R. § 273.15.

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 3rd day of October, 2025.

By: SIGNED

Name: Rebecca D. Kruse

Title: Administrative Law Judge

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