

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

In the Matter of	)	
	)	
M.W	)	OAH No. 25-3397-CMB
_____	)	

DECISION

I. Introduction

The Division of Public Assistance denied Supplemental Nutrition Assistance Program (“SNAP”) and General Relief Assistance (“GRA”) benefits for M.W and her household because the adoption subsidies she receives put the household over the income limit for these benefit programs. Ms. W challenged that decision, arguing that the adoption subsidies should not be considered income. Federal law, however, requires states to consider adoption payments when determining whether a household is eligible for SNAP or GRA benefits. Accordingly, the Division’s decisions denying these benefits for Ms. W is affirmed.

II. Facts

M.W applied for SNAP, GRA, and other benefits on November 4, 2025.¹ The form allows applicants to apply for several benefit programs at once, but does not include the Heating Assistance Program.² Heating Assistance Program benefits require a different application.³

The following day, the Division denied Ms. W’s application for SNAP and GRA for being over the income limit for those benefit programs.⁴ The Division calculated the household’s income for purposes of both programs by including subsidies the State pays Ms. W for three adopted children.⁵

Ms. W requested a hearing, stating that she wanted clarification of whether the adoption subsidies should be counted as part of her income for these benefit programs.⁶ On the hearing request form, she indicated that she was requesting a hearing concerning SNAP, GRA, and Heating Assistance Program benefits.⁷

¹ Ex. 2.
² *Id.*
³ Marie Thirlwell testimony.
⁴ Ex. 4-4.1.
⁵ *Id.*
⁶ Ex. 7.
⁷ *Id.*

A hearing was held on December 29, 2025. Ms. W explained that she applied for benefits because she had received a shut-off notice from her electric company, and for that reason had included the Heating Assistance Program on her hearing request.⁸ She did not recall filling out the separate application for Heating Assistance benefits, nor does the Division have any record of receiving such an application.⁹

Ms. W further explained that when she went in to the Division's office to apply for benefits, Division employees were uncertain whether the adoption subsidies should be counted as income and therefore she questioned whether it was accurate for the Division to have denied her benefits based on this income.¹⁰

III. Discussion

Ms. W does not challenge the Division's calculations for purposes of SNAP and GRA eligibility. Rather, she raises only the discrete issue of whether the Division was correct in including adoption subsidies in her household's income.¹¹

SNAP is a federal program that is administered by the State of Alaska.¹² The State thus follows federal regulations when administering this program.¹³ Federal regulation prohibits states from excluding certain types of income when determining SNAP eligibility. One of the types of income a state must include in a household's income is "adoption payments from a government source."¹⁴ The State pays the adoption subsidies at issue here, thus they are "adoption payments from a government source." The Division is thus required, by federal regulation, to include these subsidies in the household's income.

GRA is a state program providing limited monthly payments to meet an "immediate and specific need for subsistence items, such as rent, food, fuel, transportation, or burial."¹⁵ Eligibility is based, in part, on monthly net income, which includes "all income earned or unearned, from any source, except payments made under the Alaska Native Claims Settlement Act" for all persons residing in the same household, including person related by adoption.¹⁶

⁸ M.W testimony.

⁹ M.W testimony; Marie Thirlwell testimony.

¹⁰ M.W testimony.

¹¹ *Id.*

¹² 7 C.F.R. § 271.4(a).

¹³ 7 AAC 46.010.

¹⁴ 7 C.F.R. § 273.9(c)(19)(iii) ("The State agency shall not exclude . . . foster care and adoption payments from a government source").

¹⁵ 7 AAC 47.140(a)(6).

¹⁶ 7 AAC 47.150(c)(1), (d).

State regulation thus includes a single, narrow exclusion from a household's income — for Alaska Native Claims Settlement Act payments. The W household's adoption subsidies do not fall within this exclusion. Therefore these payments fall within the broad category of income "from any source" and the Division correctly considered them in calculating the household's income for GRA eligibility purposes.

Ms. W did not apply for Heating Assistance Program benefits. There is no denial of such benefits to address here and therefore this decision does not address whether adoption subsidies would be considered for eligibility under that program.

IV. Conclusion

Federal regulation explicitly requires the Division to include adoption payments when determining a household's income for purposes of SNAP eligibility. State regulation requires the Division to include adopted persons in a household and to consider all income from any source — aside from a single exception not applicable here — when determining GRA eligibility. The Division therefore correctly considered the W household's adoption payments when it denied Ms. W's application for SNAP and GRA benefits. The Division's decisions are affirmed.

Dated: January 12, 2026

Signed

Rebecca Kruse
Administrative Law Judge

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 29th day of January, 2026.

By: Signed
Name: Rebecca Kruse
Title: Administrative Law Judge

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