

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

In the Matter of	)	
	)	
T. E.	)	OAH No. 25-3091-SNA
_____	)	

DECISION

I. Introduction

Ms. T. E. appeals the denial of her September 2024 application for benefits under the Supplemental Nutrition Assistance Program (“SNAP” also referred to as “food stamps”). After careful consideration, this tribunal concludes that, while the processing of Ms. E.’s food stamp application by the Division of Public Assistance (DPA) was considerably delayed, the calculation of Ms. E.’s income at the time of her application was correct. Ms. E.’s income exceeded the eligibility limits for SNAP. Therefore, the DPA’s denial of Ms. E.’s September 2024 application for food stamps is AFFIRMED.

II. Background

On September 26, 2024, Ms. E. applied for SNAP benefits.¹ On October 26, 2024, the Division timely processed her application and realized additional information was needed.² The DPA tried to call Ms. E. twice at the number she provided but was unable to reach her.³ On November 8, 2024, the DPA sent her a notice soliciting the outstanding information.⁴ On November 12, 2024, Ms. E. submitted additional information, including three paystubs from her employment dated September 4, October 16, and October 30, 2024.⁵ On November 14, 2024, the Division, overlooking the information she submitted two days earlier,⁶ sent Ms. E. a notice that her application for food stamps was denied as submitted. However, the notice also advised her that if she submitted the requested information within 60 days of her original application an eligibility determination would be made and, if appropriate, benefits issued.⁷ On November 27, 2024, Ms. E. timely submitted additional information, including an additional paystub for August

¹ Exhibit 2-2.10.

² Exhibit 3.

³ *Id.*

⁴ Exhibit 4.

⁵ Exhibits 5-5.4.

⁶ See Position Statement at 2 (“November 13, 2024 the agency processed Ms. E.’s application failing to see her prior day submission.”)

⁷ Exhibit 4.1.

21, 2024.⁸ Ms. E.'s application for food stamps remained denied, as the agency failed to process her additional submissions.

On April 10, 2025, the Division incorrectly reopened Ms. E.'s 2024 SNAP application, and began soliciting 2025 income information to augment Ms. E.'s 2024 application.⁹ Her food stamp eligibility at the time she applied in 2024 could only be based on her income at the time, not 2025 wages.¹⁰ Eventually this mistake was corrected, and her 2024 application was finally processed to include the additional income information Ms. E. submitted in November 2024. Her income at the time of her 2024 application was calculated as follows, based on her employment with the Employer A in City A:¹¹

10/30/24 Pay Stub Gross: \$1,095.82

10/16/24 Pay Stub Gross: \$1,656.97

9/18/24 Pay Stub Gross: \$3,443.28 (excluded as unusually high)

9/4/24 Pay Stub Gross: \$1,609.99

8/21/24 Pay Stub Gross: \$830.00

Total of included paychecks: \$5,192.78

Average of included paychecks: \$1,298

Biweekly average x 2.15: \$2,791.12¹²

On April 28, 2025, the Division notified Ms. E. that her 2024 SNAP application was denied because her biweekly monthly income averaged \$2,791.12, exceeding the federal and state regulations setting the food stamp income limit for a household of her size at \$2,038.¹³

In September 2025, the DPA reviewed the April 2025 denial letter of Ms. E.'s 2024 application and noticed another agency error. The August 21, 2024 paycheck of \$830 should not have been included in the calculation as it was usually low, reflecting only a partial month of wages. Therefore, the DPA recalculated her income eligibility to exclude the August 2024

⁸ Exhibit 8.

⁹ Exhibits 9 and 10.

¹⁰ Marie Thirlwell testimony and 7 C.F.R. § 273.10(a)(1)(i) ("A household's eligibility shall be determined for the month of application by considering the household's circumstances for the entire month of application.")

¹¹ Ex. 12. In April 2025 a DPA eligibility technician took the additional step of contacting Ms. E.'s supervisor at the Employer A to ascertain that the paystubs were an accurate reflection of Ms. E.'s usual work schedule. The supervisor noted that in October and November 2024 Ms. E. was often called in more often due to a shortage of staff. *Id.* However, the 2024 October paystubs reflect almost identical hours/wages as her September 2024 paystub.

¹² Exhibits 12, 13, 18. A multiplier of 2.15 is used to calculate a biweekly average of the 26 pay periods in a year.

¹³ Exhibit 13.

paycheck as follows:

10/30/24 Pay Stub Gross: \$1,095.82

10/16/24 Pay Stub Gross: \$1,656.97

9/18/24 Pay Stub Gross: \$3,443.28 (excluded as unusually high)

9/4/24 Pay Stub Gross: \$1,609.99

8/21/24 Pay Stub Gross: \$830.00 (excluded as unusually low)

Total of included paychecks: \$4,362.79

Average of included paychecks: \$1,454.26

Biweekly average x 2.15: \$3,126.66¹⁴

On September 15, 2025, the agency sent Ms. E. the corrected calculation, advising her that she was still over the regulatory food stamp income limit for her household size.

On September 22, 2025, Ms. E. submitted a request for a fair hearing regarding the denial of her September 2024 SNAP application. A hearing was held on December 15, 2025. Ms. E. participated and represented herself. The DPA was represented by Ms. Marie Thirlwell.

III. Discussion

The history of this case is marked with multiple agency mistakes which understandably created both confusion and frustration for Ms. E., and almost certainly caused her additional stress. This is very regrettable. However, regarding the agency's denial of Ms. E.'s 2024 application of benefits, the DPA appropriately calculated her average biweekly income based on the paystubs she submitted. The unusually high and unusually low paystubs were correctly excluded. Her resulting average biweekly income of \$3,126.66 at the time she applied for benefits exceeded the SNAP income limit of \$2,038 for a household of her size. Despite the processing errors and significant delay, the agency's conclusion that she was over income at the time of her application is correct.

IV. Conclusion

¹⁴ Exhibits 14, 15.

Ms. E. was over the income eligibility limits for SNAP at the time she applied in September of 2024. Therefore, the Division's denial of Ms. E.'s September 26, 2024 application for SNAP benefits is AFFIRMED.

DATED: January 16, 2026.

By: SIGNED

Robert H. Schmidt
Administrative Law Judge

Adoption

This Order is issued under the authority of AS 43.05.010 and AS 44.17.010. The undersigned, on behalf of the Commissioner of Revenue and in accordance with AS 44.64.060, adopts this Decision 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 6th day of February, 2026.

By: SIGNED

Signature

Robert H. Schmidt

Name

Administrative Law Judge

Title

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