



July 30, 2025

[REDACTED]

RE: [REDACTED] v. DoHS/BFA  
ACTION NO.: 25-BOR-2417

Dear [REDACTED]:

Enclosed is a copy of the decision resulting from the hearing held in the above-referenced matter.

In arriving at a decision, the State Hearing Officer is governed by the Public Welfare Laws of West Virginia and the rules and regulations established by the Department of Human Services. These same laws and regulations are used in all cases to ensure that all persons are treated alike.

You will find attached an explanation of possible actions you may take if you disagree with the decision reached in this matter.

Sincerely,

Kristi Logan  
Certified State Hearing Officer  
Member, State Board of Review

Encl: Recourse to Hearing Decision  
Form IG-BR-29

cc: Angela Mitchem, [REDACTED] DoHS

**WEST VIRGINIA OFFICE OF INSPECTOR GENERAL  
BOARD OF REVIEW**

[REDACTED],

**Appellant,**

v.

**Action Number: 25-BOR-2417**

**WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES  
BUREAU FOR FAMILY ASSISTANCE,**

**Respondent.**

**DECISION OF STATE HEARING OFFICER**

**INTRODUCTION**

This is the decision of the State Hearing Officer resulting from a fair hearing for [REDACTED]. This hearing was held in accordance with the provisions found in Chapter 700 of the Office of Inspector General Common Chapters Manual. This fair hearing was convened on July 30, 2025.

The matter before the Hearing Officer arises from the July 10, 2025, decision by the Respondent to deny the Appellant's application for School Clothing Allowance benefits.

At the hearing, the Respondent appeared by Harold Mitchem, [REDACTED] DoHS. The Appellant was self-represented. The witnesses were placed under oath and the following documents were admitted into evidence.

**Department's Exhibits:**

None

**Appellant's Exhibits:**

None

After a review of the record, including testimony, exhibits, and stipulations admitted into evidence at the hearing, and after assessing the credibility of all witnesses and weighing the evidence in consideration of the same, the Hearing Officer sets forth the following Findings of Fact.

## **FINDINGS OF FACT**

- 1) The Appellant applied for School Clothing Allowance (SCA) benefits for her adopted son, [REDACTED]
- 2) [REDACTED] receives adoption assistance of \$790 monthly.
- 3) The Appellant sent a notice on July 10, 2025, advising that the Appellant that her application had been denied as [REDACTED] receives adoption assistance.

## **APPLICABLE POLICY**

West Virginia Income Maintenance Manual Chapter 19 explains School Clothing Allowance eligibility:

### **19.4.2 Eligibility Determination Groups**

Recipients of adoption assistance must not be included in the benefit group for SCA.

## **DISCUSSION**

Policy stipulates the recipients of adoption assistance are ineligible for SCA. The Respondent denied the Appellant's application for SCA benefits for her son, [REDACTED] who receives monthly adoption assistance.

The Appellant contended that it was unfair to exclude [REDACTED] from SCA benefits solely due to the receipt of the adoption subsidy. The Appellant testified that she struggles financially and [REDACTED] deserves to have nice school clothes. The Appellant challenged the policy that prohibits recipients of adoption assistance to receive SCA, arguing that the policy needed changed.

The Board of Review does not have the authority to change policy and can only determine if the existing policy was correctly applied when determining eligibility based on each individual's circumstances. There was no dispute that [REDACTED] receives adoption assistance and policy specifically excludes recipients of adoption assistance to be included in the SCA benefit.

Whereas the Appellant's son receives monthly adoption assistance rendering him ineligible for SCA benefits, the Respondent acted in accordance with policy in the denial of the Appellant's application.

## **CONCLUSIONS OF LAW**

- 1) Pursuant to policy, an individual who receives adoption assistance cannot be included in the School Clothing Allowance benefit.
- 2) The Appellant's son receives adoption assistance.

3) The Respondent's decision to deny the Appellant's application for School Clothing Allowance is affirmed.

**DECISION**

It is the decision of the State Hearing Officer to **uphold** the decision of the Respondent to deny the Appellant's application for School Clothing Allowance.

**ENTERED this 30<sup>th</sup> day of July 2025.**

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**Kristi Logan**  
**Certified State Hearing Officer**