



August 27, 2025

[REDACTED]

RE: [REDACTED] v. DoHS/BFA
ACTION NO.: 25-BOR-2613

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: Margaret Fain, [REDACTED] DoHS

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

[REDACTED],

Appellant,

v.

Action Number: 25-BOR-2613

**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 August 27, 2025.

The matter before the Hearing Officer arises from the decision by the Respondent to deny School Clothing Allowance benefits for the Appellant.

At the hearing, the Respondent appeared by Margaret Fain, [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) On August 7, 2025, the Appellant contacted the Respondent regarding his failure to receive School Clothing Allowance (SCA) benefits.
- 2) The Appellant reported to the Respondent that he submitted a SCA application on July 28, 2025, at the [REDACTED] office while applying for assistance with his electric bill.
- 3) The Respondent was unable to locate a SCA application for the Appellant.

APPLICABLE POLICY

West Virginia Income Maintenance Manual Chapter 19 explains eligibility for SCA:

19.3.1 Application Process

EXCEPTION: For the 2025 WVSCA season, no DFA-WVSC-1 will be mailed by the system, and no automatic issuance will occur. All families must submit an application for this program of assistance.

19.3.1.C Complete Application

The application is considered complete when the client signs a DFA-WVSC-1, DFA-2, or the Document for Protection of Application Date (DFA-5), which contains, at a minimum, his name and address. When the WV PATH application is submitted with an electronic signature, the application is complete. The WV PATH application must be submitted by the close of business on the last day of the intake month. For a paper application, the application is complete when the client signs a DFA-2 or DFA-5 which contains, at a minimum, his name and address. All applications for school clothing must be received or postmarked no later than the last day of the intake month.

19.3.1.D Date of Application

The date of the application is the date that the DFA-2 or DFA-WVSC-1 was submitted with at least the applicant's name and address, or the date the electronic signature is submitted in WV PATH. If the DFA-WVSC-1 is received by mail, the date of application is the date the form is postmarked or received. When the form is received prior to July 1 of the program year, it may not be processed in the eligibility system before July 1.

19.3.1.J Agency Time Limits

As long as the application is made by the last day of July and the applicant returns the requested information in the time frame specified by the Worker, the WVSCA is approved, if the family is otherwise eligible. Applications received after July 31 of the current program year must be denied for being received out of season. WV PATH will accept applications from July 1 through July 31. Applications must be processed within 30 days of the date of application.

DISCUSSION

Policy stipulates that all applications for SCA must be submitted before July 31 of the program year. Applications received after July 31 will be denied. All assistance groups must submit either a paper application or online application by the deadline to be considered for the SCA program.

The Appellant testified that he submitted the SCA application on July 28, 2025, with his Emergency Low Income Energy Assistance Program (LIEAP) application and other paperwork to the receptionist at the [REDACTED] office. The Appellant claimed his LIEAP application and other paperwork were returned to him by the receptionist, but he could not recall if he received a date-stamped copy of the SCA application and any paperwork he received that date has been misplaced.

Margaret Fain, witness for the Respondent, testified that upon receiving a call from the Appellant about not receiving SCA benefits, the Appellant's case record, the receptionist log and SCA application logs were checked for the Appellant's SCA application. Ms. Fain confirmed that the Appellant visited the [REDACTED] office on July 28, 2025, to apply for Emergency LIEAP benefits but could find no record that the Appellant had submitted an application for SCA benefits.

Policy stipulates that all SCA applications must be submitted either by paper or electronically by the program deadline of July 31 to be considered for the benefit. Although the Appellant contended that he applied for SCA prior to the program deadline, he failed to produce any corroborating evidence that he submitted an SCA application on July 28, 2025.

Whereas the Appellant failed to apply for SCA benefits prior to the program deadline of July 31, 2025, the Appellant is ineligible for SCA.

CONCLUSIONS OF LAW

- 1) Policy stipulates that all applications for SCA must be submitted before July 31 of the program year. Applications received after July 31 will be denied.
- 2) There was no evidence to indicate the Appellant applied for SCA benefits prior to the program deadline.
- 3) The Appellant is ineligible for SCA benefits for the 2025 SCA program year.

DECISION

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

ENTERED this 27th day of August 2025.

Kristi Logan
Certified State Hearing Officer