



September 2, 2025

[REDACTED]

RE: [REDACTED] v. DoHS/BFA  
ACTION NO.: 25-BOR-2623

Dear Ms. [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] County DoHS

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

[REDACTED]

**Appellant,**

**v.**

**Action Number: 25-BOR-2623**

**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 September 2, 2025.

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

At the hearing, the Respondent appeared by Margaret Fain, [REDACTED] County 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) Applications for School Clothing Allowance (SCA) are accepted in the month of July each program year.
- 2) The Respondent began accepting applications for SCA on July 7, 2025, for the current program year.
- 3) In previous years, the Respondent mailed SCA applications to families with school-age children who received SCA the preceding year and who were active recipients of Supplemental Nutrition Assistance Program (SNAP) and/or Medicaid benefits.
- 4) Active SNAP assistance groups who indicated the desire to be evaluated for automatic issuance of SCA, if determined eligible by the deadline for the current program year, were included in the automatic issuance in preceding years and were not mailed an application. Recipients of WV WORKS benefits were automatically issued SCA.
- 5) Effective July 1, 2025, all assistance groups were required to apply for SCA benefits, automatic issuance of SCA and mass mailing of applications were discontinued by the Respondent.
- 6) On August 11, 2025, the Appellant requested a hearing over the failure to receive SCA for her children.
- 7) The Appellant did not submit an application for SCA prior to the July 31, 2025, deadline.

## **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*** (emphasis added).

### 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. Effective July 1, 2025, all assistance groups must submit either a paper application or online application by the deadline to be considered for the SCA program.

The Respondent's witness, Margaret Fain, testified that due to a recent policy change, automatic issuance of SCA benefits was discontinued and paper applications were not mailed for the current SCA year. Ms. Fain stated that the change in application procedures was advertised on television, radio, social media and the Respondent's website.

The Appellant testified that she was under the impression that SCA benefits were automatically renewed each year and was unaware of the change in application procedures. The Appellant contacted the Respondent on August 7, 2025, to inquire about SCA benefits and only then learned of the policy change. The Appellant purported that the Respondent's website referred her to the Respondent's social media for information regarding SCA, but she contended no one "follows" the Respondent on social media. The Appellant argued that everyone should have received a letter explaining the need to apply.

The Board of Review does not have the authority to change policy or make judgements regarding notification of changes in policy. The Respondent discontinued its practice of automatically issuing SCA vouchers and mailing applications to households with school-age children. The SCA program accepts applications in the month of July each seasonal year and the Appellant was responsible for inquiring about the program or submitting an application prior to the July 31 deadline.

Whereas the Appellant failed to submit an application prior to the July 31, 2025, deadline, the Respondent's decision to deny SCA benefits is affirmed.

### **CONCLUSIONS OF LAW**

- 1) Policy stipulates that all applications for SCA must be submitted before July 31 of the program year.
- 2) Effective July 1, 2025, automatic issuance of SCA and mass mailing of applications were discontinued by the Respondent, and all assistance groups were required to apply for SCA benefits.
- 3) The Appellant failed to apply for SCA benefits prior to July 31, 2025.
- 4) The Appellant is not eligible for SCA benefits.

### **DECISION**

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

**ENTERED this 2<sup>nd</sup> day of September 2025.**

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