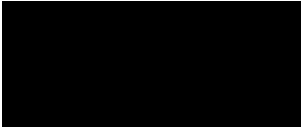




December 11, 2025



RE: [REDACTED] v. WV DoHS
ACTION NO.: 25-BOR-3294

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,

Pamela L. Hinzman
State Hearing Officer
Member, State Board of Review

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

cc: Kristyne Hoskins, WV DoHS

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

[REDACTED]

Appellant,

v.

Action Number: 25-BOR-3294

**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 December 9, 2025.

The matter before the Hearing Officer arises from the Respondent's decision to terminate the Appellant's Medicare Premium Assistance Program benefits.

At the hearing, the Respondent appeared by Kristyne Hoskins, Economic Service Worker Senior, WV DoHS. The Appellant was self-represented. Appearing as a witness for the Appellant was [REDACTED] the Appellant's neighbor. The witnesses were placed under oath and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 Supplemental Nutrition Assistance Program (SNAP) redetermination form dated May 13, 2025
- D-2 SNAP redetermination form submitted on May 23, 2025
- D-3 Case Comments from Respondent's computer system
- D-4 Verification Checklist dated June 13, 2025 (two copies sent)
- D-5 Case Comments from Respondent's computer system
- D-6 Notices of Decision dated July 30, 2025
- D-7 Log of documents Appellant submitted to DoHS office

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 was a recipient of Supplemental Nutrition Assistance Program (SNAP) and Medicare Premium Assistance (MPA) Program benefits.
- 2) The Appellant submitted a SNAP redetermination form to the Respondent on May 23, 2025 (Exhibit D-2).
- 3) The Respondent completed a redetermination interview with the Appellant on June 12, 2025 (Exhibit D-3).
- 4) The Respondent issued a Verification Checklist to the Respondent seeking verification of his checking and savings account balances, as well as his Social Security income verification, by June 22, 2025 (Exhibit D-3 and D-4).
- 5) The Verification Checklist states that the information is needed to determine eligibility for SNAP and “Medical Assistance” (Exhibit D-4)
- 6) The Appellant failed to provide the requested verification.
- 7) The Respondent notified the Appellant on July 30, 2025, that his MPA benefits would be terminated effective September 2025 because he failed to supply all requested information (Exhibit D-6).

APPLICABLE POLICY

West Virginia Income Maintenance Manual Chapter 4 explains asset eligibility:

5.4 Maximum Allowable Assets

The maximum allowable assets for Medicare Premium Assistance is \$9,660 for a one-person assistance group.

5.5.4 Bank Accounts and Certificates of Deposit

Bank accounts are countable assets for SSI-Related Medicaid and Medicare Premium Assistance programs.

West Virginia Income Maintenance Manual Chapter 7.2.3:

The primary responsibility for providing verification rests with the client. It is an eligibility requirement that the client cooperate in obtaining necessary verifications, with an exception being that a client must never be asked to provide verification that he is or is not either a fleeing felon or a probation/parole violator. The client is expected to provide information to which he has access and to sign authorizations needed to obtain other information. Failure of the client to provide necessary information or to sign authorizations for release of information results in denial of the application or closure of the active case, provided the client has access to such information and is physically and mentally able to provide it.

For Medicaid Coverage Groups and WVCHIP Only:

- Client self-attestation is verified by electronic data sources.
- The client must not be required to provide verification unless information cannot be obtained electronically or self-attestation, and electronic data sources are not reasonably compatible. See Section 7.2.5 below.

Refusal to cooperate, failure to provide necessary information, or failure to sign authorizations for release of information, provided the client has access to such information and is physically and mentally able to provide it, may result in one of the following:

- Denial of the application
- Closure of the assistance group (AG)
- Determination of ineligibility
- Disallowance of an income deduction or an incentive payment

West Virginia Income Maintenance Manual Chapter 7.2.4:

The Worker has the following responsibilities in the verification process:

- At application, redetermination, and anytime a DFA-6 is used, the Worker must list all required verification known at the time. The Worker should only request additional verification if information provided is incomplete or additional information is necessary to determine eligibility.
- If the client is unsuccessful in obtaining information, or if physical or mental limitations prevent his compliance, and there is no one to assist him, the Worker must document attempts to obtain the verification.
- The Worker must accept any reasonable documentary evidence as verification and must not require a specific kind or source of verification. Verification may be submitted in person, by mail, by fax, or electronically.
- The Worker must not request verification if the case record or other documentation shows that verification has previously been supplied. It may, however, be requested if the verification provided or shown in the Department's

records is incomplete, inaccurate, outdated, or inconsistent with recently reported information.

West Virginia Income Maintenance Manual Chapter 7.3 states that bank account values must be verified for all programs subject to an asset test at application and redetermination or when the client reports an increase.

DISCUSSION

When information is insufficient to determine eligibility, policy states that a verification checklist is sent to the client explaining what information is needed and the due date by which the documentation must be provided. Failure to return the requested information results in benefit denial or termination. MPA programs are subject to an asset test. The Respondent cannot make a determination of asset eligibility for MPA benefits without verification of the balances of all bank accounts. The Respondent notified the Appellant in writing of the information required to determine eligibility for MPA benefits and the due date of the information.

Kristyne Hoskins, Economic Service Worker Senior with the Department, testified that the Appellant had reported a change in asset values during his SNAP redetermination; therefore, the Respondent requested updated information concerning his bank account balances to determine his ongoing eligibility for SNAP and MPA. Ms. Hoskins indicated that the Appellant can reapply for SNAP and/or MPA benefits at any time.

██████████ the Appellant's neighbor, testified that the Appellant is 71 years old and has difficulties with comprehension and technology. She indicated that the Appellant has had no changes in his circumstances except for a raise in Social Security benefits.

As the Appellant failed to provide the requested verification, and there is no indication that he attempted to contact a Respondent worker for assistance or to indicate he would have problems supplying the information, the Respondent's decision to terminate MPA benefits is affirmed.

CONCLUSIONS OF LAW

- 1) When information is insufficient to determine eligibility for Department programs, a verification checklist is sent to the client explaining what information is needed and the due date by which the documentation must be provided. Failure to provide the requested information results in application denial or case closure.
- 2) The Respondent requested income/asset verification from the Appellant in conjunction with his SNAP redetermination and to determine his ongoing eligibility for MPA benefits.
- 3) The Appellant failed to provide the requested documentation.
- 4) The Respondent acted in accordance with policy in terminating the Appellant's MPA benefits.

DECISION

It is the decision of the State Hearing Officer to **UPHOLD** the action of the Respondent to terminate the Appellant's Medicare Premium Assistance Program benefits.

ENTERED this 11th day of December 2025.

Pamela L. Hinzman
State Hearing Officer