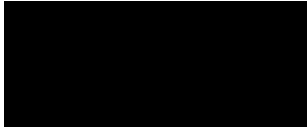




February 25, 2026



RE: [REDACTED] v. DoHS/BFA
ACTION NO.: 26-BOR-1172

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: Crystal Bailes, [REDACTED] County DoHS

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

[REDACTED]

Appellant,

v.

Action Number: 26-BOR-1172

**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 February 17, 2026.

The matter before the Hearing Officer arises from the decision by the Respondent to prorate Supplemental Nutrition Assistance Program benefits for January 2026.

At the hearing, the Respondent appeared by Crystal Bailes, [REDACTED] DoHS. Appearing as a witness for the Respondent was Melissa Midkiff, [REDACTED] DoHS. The Appellant was self-represented. The witnesses were placed under oath, and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 Board of Review Scheduling Order dated February 2, 2026
- D-2 Hearing Request received January 28, 2026
- D-3 Hearing Request Notification Form
- D-4 Notice of Termination dated December 19, 2025
- D-5 Case Comments
- D-6 West Virginia Income Maintenance Manual §§1.4.1.D, 1.14.1.A.2, and 10.4.2.D

Appellant's Exhibits:

- A-1 Motion for Late Submission of Evidence or Continuance received February 17, 2026
- A-2 Utility Bills date stamped January 9, 2026

- A-3 Medical Expenses
- A-4 Medical Records
- A-5 Aged and Disabled Waiver Medical Necessity Evaluation Requests dated September 24 and October 21, 2025
- A-6 Wellpoint Denial Letter dated November 4, 2025, and Acknowledgement of Wellpoint Appeal Request dated November 24, 2025
- A-7 Denial Letter from Social Security Administration
- A-8 Community Referrals dated January 9, 2026
- A-9 Handwritten Notes
- A-10 Cell Phone Call Log
- A-11 Hearing Request dated January 26, 2026

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 SNAP benefits for a three-person assistance group.
- 2) The Appellant was mailed an interim contact form (PRC-2) to be completed and returned in December 2025.
- 3) The Respondent issued a notice of termination on December 19, 2025, advising the Appellant that she would no longer receive SNAP benefits after December 2025, for the failure to return the PRC-2 (Exhibit D-4).
- 4) The Appellant visited the [REDACTED] County office on January 9, 2026 (Exhibit D-5).
- 5) Caseworker EW41LT entered a comment on January 9, 2026, in the Appellant's case record "Client in office with questions about medical and snap appeals and closures" (Exhibit D-5).
- 6) On January 23, 2026, the Appellant called the Respondent's Customer Service Center inquiring about her SNAP benefits, reporting that she reapplied for SNAP benefits and completed an interview during the January 9, 2026, office visit (Exhibit D-5).
- 7) The Appellant was advised that there was no record that she completed a SNAP application or interview on January 9, 2026 (Exhibit D-5).
- 8) The Appellant went to the [REDACTED] County office on January 28, 2026, and completed a new SNAP application and interview (Exhibit D-5).
- 9) SNAP benefits were approved effective January 28, 2026 (Exhibit D-5).

- 10) The Appellant requested a hearing on January 28, 2026, requesting that SNAP benefits be backdated to January 9, 2026 (Exhibits D-2 and D-5).

APPLICABLE POLICY

Code of Federal Regulations – 7 CFR §273.14 explains the recertification requirement for SNAP:

(a) **General.** No household may participate beyond the expiration of the certification period assigned in accordance with [§273.10\(f\)](#) without a determination of eligibility for a new period. The State agency must establish procedures for notifying households of expiration dates, providing application forms, scheduling interviews, and recertifying eligible households prior to the expiration of certification periods. Households must apply for recertification and comply with interview and verification requirements.

(2) **Application.** The State agency must develop an application to be used by households when applying for recertification. It may be the same as the initial application, a simplified version, a monthly reporting form, or other method such as annotating changes on the initial application form. A new household signature and date is required at the time of application for recertification. The recertification process can only be used for those households which apply for recertification prior to the end of their current certification period, except for delayed applications as specified in [paragraph \(e\)\(3\)](#) of this section. The process, at a minimum, must elicit from the household sufficient information that, when added to information already contained in the casefile, will ensure an accurate determination of eligibility and benefits. The State agency must notify the applicant of information which is specified in [§273.2\(b\)\(2\)](#), and provide the household with a notice of required verification as specified in [§273.2\(c\)\(5\)](#).

(3) **Interview.** As part of the recertification process, the State agency must conduct an interview with a member of the household or its authorized representative at least once every 12 months for households certified for 12 months or less. The provisions of [§273.2\(e\)](#) also apply to interviews for recertification. The State agency may choose not to interview the household at interim recertifications within the 12-month period. The requirement for an interview once every 12 months may be waived in accordance with [§273.2\(e\)\(2\)](#).

(e) Delayed processing.

(1) If an eligible household files an application before the end of the certification period but the recertification process cannot be completed within 30 days after the date of application because of State agency fault, the State agency must continue to process the case and provide a full month's allotment for the first month of the new certification period. The State agency shall determine cause for any delay in processing a recertification application in accordance with the provisions of [§273.3\(h\)\(1\)](#).

(2) If a household files an application before the end of the certification period, but fails to take a required action, the State agency may deny the case at that time, at the end of the certification period, or at the end of 30 days. Notwithstanding the State's right to issue

a denial prior to the end of the certification period, the household has 30 days after the end of the certification period to complete the process and have its application be treated as an application for recertification. If the household takes the required action before the end of the certification period, the State agency must reopen the case and provide a full month's benefits for the initial month of the new certification period. If the household takes the required action after the end of the certification period but within 30 days after the end of the certification period, the State agency shall reopen the case and provide benefits retroactive to the date the household takes the required action. The State agency shall determine cause for any delay in processing a recertification application in accordance with the provisions of §273.3(h)(1).

(3) If a household files an application within 30 days after the end of the certification period, the application shall be considered an application for recertification; however, benefits must be prorated in accordance with §273.10(a). If a household's application for recertification is delayed beyond the first of the month of what would have been its new certification period through the fault of the State agency, the household's benefits for the new certification period shall be prorated based on the date of the new application, and the State agency shall provide restored benefits to the household back to the date the household's certification period should have begun had the State agency not erred and the household been able to apply timely.

West Virginia Income Maintenance Manual Chapter 1 explains the application and redetermination process:

1.4.1.D Interim Contact Report

An interim contact form is a SNAP form due at the midpoint of the SNAP certification period. The purpose of the PRC-2 is for the SNAP assistance group (AG) to have an avenue to report changes that have occurred since the last SNAP application or redetermination. A PRC-2 is not a full redetermination.

West Virginia Income Maintenance Manual Chapter 10 explains case maintenance procedures:

10.4.2.D How to Process an Interim Contact Report (PRC-2)

The eligibility system automatically mails an Interim Contact Report form (PRC-2) to the AGs for the mid-month of eligibility. When a change in income is reported on the PRC-2, verification must be requested and received for the PRC-2 to be considered complete, regardless of whether that change would result in an increase, a decrease, or closure of the benefit. An application form can be used in substitution of a PRC-2 during the report month, but an interview must be completed, and a new certification period will be established. All SNAP AGs certified for 24 months must have a PRC-2 completed in the mid-month of eligibility (the twelfth month). SNAP must not continue into the 13th month of certification if a PRC-2 is not submitted. If the PRC-2 is returned late in the 13th month, the worker can process the interim contact form and benefits will be prorated.

NOTE: The AG always has the right to file a new application form. The agency must allow either the PRC-2 or a new SNAP application to be submitted to continue eligibility.

The AG Completes the Process by the end of the 13th month:

Reinstate SNAP when the AG provides a complete PRC-2 by the last day of the following month in which it was due. Reinstate benefits, effective the date the completed PRC-2 is received, for the remaining months of the certification period. Do not extend the certification period. A new application/interview is not required. Prorate benefits from the date the PRC-2 is returned complete. If the PRC-2 is not returned, a new application for SNAP must be completed.

DISCUSSION

Pursuant to policy and federal regulations, no household may participate in SNAP beyond the expiration of the certification period without a determination of eligibility for a new certification period. An interim contact form, the PRC-2, is sent to SNAP recipients at the midpoint of the certification period. Failure to return the completed PRC-2 results in case closure.

The Respondent mailed the Appellant a PRC-2 that was due to be returned no later December 31, 2025, to continue receiving SNAP benefits. The Appellant failed to return the PRC-2 and her SNAP benefits were terminated.

The Appellant testified that she had surgery in December 2025 and admitted that she did not return the PRC-2 in December 2025. However, the Appellant contended that she completed a SNAP application and interview during the January 9, 2026, office visit and is requesting SNAP benefits be backdated to the date of the SNAP reapplication.

The Appellant provided detailed testimony regarding the January 9, 2026, office visit. The Appellant stated the caseworker she spoke with that date was an intake worker who initially advised the Appellant that since her SNAP benefits had closed, she could not submit the PRC-2 but instead had to complete a new application. The Appellant claimed that she filled out a SNAP application, completed an interview, only to be told that the PRC-2 could be used in lieu of a new application. The Appellant stated the worker printed off another copy of the PRC-2, had her sign it, and was told by the caseworker that since she was a new employee, someone else would process the PRC-2 and she would receive SNAP benefits within a week. The Appellant produced copies of medical expenses and utilities that she provided to the caseworker that were date-stamped a received on January 9, 2026, by the [REDACTED] County office, to support her contention that an application was completed that date (Exhibits A2 and A-3).

The Appellant stated that she waited a few weeks before contacting the [REDACTED] County office and the Respondent's Customer Service Center who advised that there was no record that she had completed a SNAP application on January 9, 2026.

The Respondent's witness, Crystal Bailes, testified that there was no record of a January 9, 2026, SNAP application found in the Appellant's case, therefore the Appellant's SNAP benefits were correctly prorated from January 28, 2026, when the Appellant reapplied for SNAP. Ms. Bailes does not have direct knowledge of the events that transpired on January 9, 2026, and Worker EW41LT, the caseworker who met with the Appellant on January 9, 2026, did not appear at the hearing for testimony.

Based on the credible evidence testimony provided by the Appellant, a new SNAP application and interview were completed on January 9, 2026, and for unknown reasons, the application was not recorded or processed by the Respondent.

Whereas the Appellant completed a SNAP application and interview on January 9, 2026, the Respondent's decision to approve SNAP benefits effective January 28, 2026, cannot be affirmed.

CONCLUSIONS OF LAW

- 1) Pursuant to policy, SNAP recipients must complete a PRC-2 during the midpoint of certification to continue receiving SNAP benefits.
- 2) Failure to return the PRC-2 by the last day of the month results in case closure.
- 3) The Appellant's SNAP benefits terminated effective December 31, 2025, when she failed to return the PRC-2.
- 4) The Appellant reapplied for SNAP benefits on January 9, 2026.
- 5) The Appellant is eligible for SNAP benefits effective January 9, 2026.

DECISION

It is the decision of the State Hearing Officer to **reverse** the decision of the Respondent to prorate the Appellant's Supplemental Nutrition Assistance Program benefits from January 28, 2026. SNAP benefits will be retroactively approved effective January 9, 2026.

ENTERED this 25th day of February 2026.

**Kristi Logan
Certified State Hearing Officer**