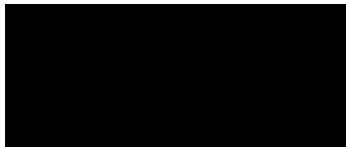




April 23, 2026



RE: [REDACTED] v. WV DoHS
ACTION NO: 26-BOR-1587

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: Carrie Casto, WV DoHS

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

[REDACTED]

Appellant,

v.

Action Number: 26-BOR-1587

**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 West Virginia Office of Inspector General Common Chapters Manual. This fair hearing was convened on April 21, 2026.

The matter before the Hearing Officer arises from the Respondent's termination of SSI-Related Medicaid benefits as outlined in a notice dated February 12, 2026.

At the hearing, the Respondent appeared by Carrie Casto, Economic Services Supervisor, WV DoHS. The Appellant was self-represented. All witnesses were sworn and the following documents were admitted into evidence.

Department's Exhibits:

- D-1 Verification Checklist dated December 30, 2025
- D-2 West Virginia Income Maintenance Manual Chapter 7.2.3
- D-3 Notice of Decision dated February 12, 2026

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 SSI-Related Medicaid benefits.
- 2) On December 29, 2025, the Respondent processed a medical assistance application for the Appellant's husband, [REDACTED] that had been received through the Federally Facilitated Marketplace.
- 3) At the time of the application, changes were reported in the Appellant's husband's self-employment income.
- 4) Based on the reported change in income, the Respondent sent the Appellant a Verification Checklist on December 30, 2025, requesting proof of her husband's self-employment income by January 8, 2026 (Exhibit D-1).
- 5) The Appellant failed to verify the self-employment income.
- 6) The Respondent sent the Appellant a Notice of Decision on February 12, 2026, indicating that her SSI-Related Medicaid benefits would close effective March 2026 because she did not provide the requested verification (Exhibit D-3).

APPLICABLE POLICY

West Virginia Income Maintenance Manual Chapter 7.2.3 states that 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 incentive payment

West Virginia Income Maintenance Manual Chapter 7.2.5.A defines reasonable compatibility:

Reasonable compatibility means that information provided by an applicant through self-attestation does not vary significantly, or in a way that is meaningful for eligibility when compared to information obtained through electronic data sources. Under reasonable compatibility, the Worker can require verification documentation only when the difference between the attestation and data source affects eligibility.

West Virginia Income Maintenance Manual Chapter 3.17.2.A.3 states that the income of the ineligible spouse must be considered to determine whether it must be deemed for SSI-Related Medicaid purposes.

DISCUSSION

Policy states the income of the ineligible spouse must be considered to determine whether it must be deemed for SSI-Related Medicaid purposes. 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. 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.

The Respondent's representative, Economic Services Supervisor Carrie Casto, testified that the self-employment income reported on the Appellant's husband's Marketplace application differed from the income recorded in the Appellant's SSI-Related Medicaid case, so the Respondent sought updated income verification. When self-employment income was not verified, the Respondent terminated the Appellant's SSI-Related Medicaid benefits.

The Appellant testified that she received neither the Respondent's Verification Checklist nor the termination notice, and that she only learned that her Medicaid benefits had closed when she visited her physician in March 2026. She stated that she waited until her tax returns were complete and reapplied for Medicaid benefits with updated self-employment income verification. Ms. Casto testified that the Appellant's new Medicaid application was received by the Respondent on April 17, 2026, and is currently pending. She indicated that the Appellant's Verification Checklist and termination notice were not returned to the Respondent as undeliverable.

As the Appellant failed to verify self-employment income in response to the December 2025 Verification Checklist, the Respondent's decision to terminate Medicaid benefits is affirmed.

CONCLUSIONS OF LAW

- 1) The Appellant was a recipient of SSI-Related Medicaid benefits.
- 2) The Respondent became aware of the Appellant's husband's self-employment income change while processing his Federally Facilitated Marketplace medical assistance application.
- 3) The Respondent requested verification of self-employment income by January 8, 2026, to determine the Appellant's ongoing eligibility for SSI-Related Medicaid.
- 4) The Appellant failed to verify self-employment income by January 8, 2026.
- 5) The Respondent's decision to terminate SSI-Related Medicaid benefits effective March 2026 is affirmed.

DECISION

It is the decision of the State Hearing Officer to **UPHOLD** the Respondent's action to terminate SSI-Related Medicaid benefits effective March 2026.

ENTERED this 23rd day of April 2026.

Pamela L. Hinzman
State Hearing Officer