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**STATE OF ALASKA
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
OFFICE OF HEARINGS AND APPEALS**

In the Matter of

[REDACTED]

Claimant,

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OHA Case No. 09-PH-541

Division Case No. [REDACTED]

FAIR HEARING DECISION

STATEMENT OF THE CASE

[REDACTED] (Claimant) applied for Food Stamp benefits on September 28, 2009. (Exs. 2.0-2.8) On October 1, 2009, the Division of Public Assistance (Division) sent Claimant written notification his application for Food Stamp benefits was denied. (Ex. 4.0) Claimant requested a fair hearing on October 1, 2009. (Ex. 4.1) This Office has jurisdiction pursuant to 7 AAC 48.010 and 7 CFR §273.15.

Pursuant to Claimant's request, a hearing was held on November 24, 2009. Claimant attended the hearing in person and testified in his own behalf. Claimant's mother, [REDACTED], appeared in person and testified on behalf of Claimant. The Division was represented by [REDACTED], Fair Hearing Representative and a Public Assistance Analyst with the Division of Public Assistance, who appeared in person and testified on behalf of the Division.

ISSUE

Was the Division correct to deny Claimant's September 28, 2009 Food Stamp application due to a felony drug conviction in 2004?

FINDINGS OF FACT

The following facts were established by a preponderance of the evidence:

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AW Chickering



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