

FINAL DECISION

Sent via email [REDACTED]

Certified Mail [REDACTED]

June 9, 2026

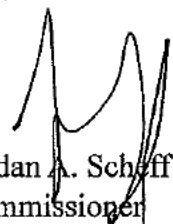
RE: Final Decision

Dear [REDACTED]

On March 17, 2026 the proposed decision of the hearing officer regarding the eligibility of [REDACTED] to receive services of the Department of Developmental Services was sent to you and all parties. Parties had ten (10) business days from receipt of the proposed decision to submit comments in support or opposition. Comments were not submitted by the petitioner. No comments were submitted on behalf of DDS.

After reviewing the proposed decision, the record, including exhibits submitted at the hearing, I agree with the hearing officer, adopt the Proposed Decision as the Final Decision, and find that [REDACTED] is ineligible for services of the Department of Developmental Services pursuant to Connecticut General Statute section 1-1g.

If you do not agree with this decision, you have the right, in accordance with Section 4-183 of the Connecticut General Statutes, to appeal to the Superior Court. Such an appeal must be submitted within forty-five (45) days of the mailing of this final decision.


Jordan A. Scheff
Commissioner

Enclosures

cc: Attorney Frank Forgione, Hearing Officer
Kathleen Murphy, Ph.D., Director, Eligibility Unit
Margaret Rudin, Ph.D., Psychologist Eligibility Unit
Attorney Marjorie O. Wakeman, Director, Legal & Government Affairs

ct.gov/dds

STATE OF CONNECTICUT
DEPARTMENT OF DEVELOPMENTAL SERVICES
PROPOSED MEMORANDUM OF DECISION

ELIGIBILITY HEARING

IN RE: [REDACTED]

March 17, 2026

Introduction:

Remote hearings via Microsoft Teams were held on October 22, 2025 and March 11, 2026 to determine the eligibility of the Petitioner, [REDACTED], for services from the Department of Developmental Services (DDS) pursuant to Connecticut General Statutes, Section 1-1g. Although the hearing commenced on October 22, 2025, exhibits were not entered into evidence and the matter was continued in order to allow [REDACTED], conservator of [REDACTED], sufficient time to review the case and the proposed exhibits. [REDACTED] had not received the exhibits prior to the October 22, 2025 hearing and needed additional time in order to be prepared for the eligibility hearing, which was continued to March 11, 2026.

The following individuals were present at the hearing held on March 11, 2026:

[REDACTED]	Conservator of [REDACTED]
Attorney Gerald Gore	Attorney for Department of Developmental Services
Dr. Kathleen Murphy	Director of Eligibility for the Department of Developmental Services

The following exhibits were entered into evidence:

HO 1	DDS Denial Letter 3/31/2025
H02	Request for Hearing dated 4/21/2025
H03	Notice of Hearing dated 4/29/2025
H04	DDS Dismissal Request dated 10/20/2025
H05	Petitioner's Comments dated 10/20/2025
H06	Hearing Officer Ruling dated 10/21/2025
H07	Notice of Hearing dated 10/27/2025
DDS1	DDS Eligibility Application 12/10/2024
DDS2	DDS Denial Letter 3/31/2025, Dr. Murphy
DDS3	DDS Second Review 3/24/2025, Dr. Rudin
DDS4	Psycho-Educational Re-Evaluation, [REDACTED]
DDSS	Speech Language Evaluation, [REDACTED]

DDS6

IEP dated [REDACTED]

p 1

Probate Court Decree dated [REDACTED]

P2

Decree/Involuntary Appointment of Conservator dated [REDACTED]

P3

Petition for Involuntary Commitment of Person with Psychiatric Disabilities

Statement of the Issue:

Is [REDACTED] eligible for DDS services pursuant to Connecticut General Statutes, Section 1-1g?

Findings of Fact:

1. [REDACTED] resides at a respite facility on the [REDACTED] campus in [REDACTED], CT.
2. [REDACTED] is a client of the Department of Mental Health and Addiction Services.
3. [REDACTED] date of birth is [REDACTED].
4. [REDACTED] is the conservator of the person and estate of [REDACTED].
5. Dr. Kathleen Murphy is the Director of Eligibility for the Department of Developmental Services.
6. Attorney Gerald Gore represents the Department of Developmental Services.
7. On [REDACTED], the Wechsler Adult Intelligence Scale-4 Edition (WAIS-IV) was administered. [REDACTED] achieved a full-scale IQ score of 70. No adaptive behavior scores were reported. See DDS 4.
8. The Individualized Education Program dated [REDACTED] states that [REDACTED] activities of daily living were "age appropriate." See DDS 6.

Definitions:

Pursuant to section 1-1g of the Connecticut General Statutes, in order to be eligible for supports or services from the Department of Developmental Services due to an intellectual disability, an individual must demonstrate a significant limitation in

intellectual functioning and deficits in adaptive behavior that originated during the developmental period, i.e., before the age of 18. Section 1-1g provides:

- (a) Except as otherwise provided by statute, 'intellectual disability' means a significant limitation in intellectual functioning existing concurrently with deficits in adaptive behavior that originated during the developmental period before eighteen years of age.
- (b) As used in subsection (a) of this section, 'significant limitation in intellectual functioning' means an intelligence quotient more than two standard deviations below the mean as measured by tests of general intellectual functioning that are individualized, standardized and clinically and culturally appropriate to the individual; and 'adaptive behavior' means the effectiveness or degree with which an individual meets the standards of personal independence and social responsibility expected for the individual's age and cultural group as measured by tests that are individualized, standardized and clinically and culturally appropriate to the individual.

An intelligence quotient of more than two standard deviations below the mean equates to an IQ score of 69 or lower. Christopher R. v. Commissioner, 277 Conn. 594 (2006).

The petitioner has the burden to prove that she meets the eligibility criteria for DDS services. Id.

Discussion:

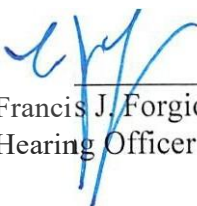
In order to meet the qualifications for intellectual disability under CGS 1-1g and receive services from DDS, [REDACTED] must prove by a preponderance of the evidence that she experiences concurrent significant limitations in intellectual functioning and adaptive behavior that originated, that is, first occurred, during the developmental period. Such limitations must be measured by tests that are individualized, standardized and clinically and culturally appropriate.

The full-scale IQ test score reported on the WAIS-IV for [REDACTED] was 70, which is above the IQ threshold of 69. Moreover, the IEP indicates that [REDACTED] was able to perform activities of daily living at an "age appropriate" level. In order to establish the existence of an intellectual disability, a deficit in adaptive behavior must exist **concurrently** with a significant limitation in intellectual functioning that originated before the age of 18. Since [REDACTED] full-scale IQ score exceeded 69, the

preponderance of the evidence does not demonstrate that [REDACTED] meets the standard of intellectual disability, as that term is defined by CGS 1-1g. Moreover, the evidence does not establish that [REDACTED] exhibited significant deficits in adaptive behavior that originated during the developmental period. Accordingly, [REDACTED] does not meet the eligibility criteria for DDS services.

Conclusion:

[REDACTED] is not eligible for DDS services as an individual with intellectual disability.



Francis J. Forgione
Hearing Officer