

STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS
55 FARMINGTON AVENUE
HARTFORD, CT 06105-3730

██████████ 2020
Signature Confirmation

████████████████████
Request # 153463

NOTICE OF DECISION

PARTY

████████████████████
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PROCEDURAL BACKGROUND

On ██████████ 2020, the Department of Social Services (the “Department”) issued a notice of action to ██████████ (the “Appellant”) indicating his Supplemental Nutrition Assistance Program (“SNAP”) benefits would be \$89.00 effective ██████████ 2020.

On ██████████ 2020, the Appellant requested an administrative hearing to contest the Department’s calculation of such benefits.

On ██████████ 2020, the Office of Legal Counsel, Regulations, and Administrative Hearings, (“OLCRAH”) issued a notice scheduling the administrative hearing for ██████████ 2020.

On ██████████ 2020, in accordance with sections 17b-60, 17b-61, and 4-176e to 4-184, inclusive, of the Connecticut General Statutes, OLCRAH held an administrative hearing by telephone.

The following individuals called in for the hearing:

████████████████████ Appellant
Mary Sblendorio, Department’s Representative
Christopher Turner, Hearing Officer

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department correctly calculated the Appellant's SNAP benefit.

The second issue to be decided is whether the Department correctly determined the effective date of the Appellant's SNAP assistance.

FINDINGS OF FACT

1. On [REDACTED] 2019, the Appellant received \$98.00 in SNAP. (Exhibit 5: Benefit history)
2. On [REDACTED] 2019, the Department sent a notice of action to the Appellant's previous address of [REDACTED] indicating his SNAP benefit amount for [REDACTED] 2020 would be \$139.00. In addition, the notice indicated the Appellant was eligible for Low Income Adult medicals and was approved for the Medicare Savings Program effective [REDACTED] 2020. Furthermore, the notice advised the Appellant a Periodic Report Form ("PRF") would be sent in [REDACTED] 2019 and must be completed and returned by [REDACTED] 2020, to keep getting SNAP benefits. (Appellant's Exhibit A: Notice)
3. On [REDACTED] 2020, the Appellant received \$90.00 in SNAP. (Exhibit 5)
4. On [REDACTED] 2020, the Appellant's SNAP assistance closed for failure to complete a periodic report form ("PRF"). (Exhibit 4: Case notes)
5. On [REDACTED] 2020, the Department received the Appellant's application for medical assistance. (Exhibit 4)
6. On [REDACTED] 2020, the Appellant spoke with a department benefits center representative concerning the closure of his SNAP assistance. The benefits center representative determined the Appellant previously reported his [REDACTED] address change based on mail returned by the post office. Also, the benefits center representative granted the Appellant's X02 (X99) application. (Exhibit 4)
7. On [REDACTED] 2020, the Department received the Appellant's PRF. The PRF was submitted online. (Exhibit 1: PRF; Exhibit 4)
8. On [REDACTED] 2020, the Department granted the Appellant SNAP benefits of \$97.00 with \$8.00 for the balance of [REDACTED] 2020 and a full month's grant of \$89.00 for [REDACTED] 2020. (Exhibit 2: Notice)
9. The Appellant is [REDACTED] years old (DOB [REDACTED]) and alone comprises the assistance unit. (Exhibit 1: Application; Appellant's testimony)

10. The Appellant receives \$1,189.00 in gross monthly Social Security ("SSA"). The Appellant's 2019 SSA amount was \$1,170.00. (Record; Appellant's testimony)
11. There are no other types of income, earned or unearned, received by the Appellant. (Hearing record; Appellant's testimony)
12. The Appellant moved to his current address ■ months ago and requests the Department adjust his benefit amount to reflect his current rent amount of \$450.00. The Appellant's previous rent amount was \$600.00. (Appellant's testimony)
13. The Department afforded the Appellant the Standard Utility Allowance ("SUA"). (Hearing summary)
14. The Appellant is a recipient of the Medicare Savings Program as administered by the Department. (Department representative's testimony; Appellant's Exhibit A)
15. The issuance of this decision is timely under the Title 7 of the Code of Federal Regulations § 273.15 (c) (1) which provides that within 60 days of receipt of a request for a fair hearing, the State agency shall assure that the hearing is conducted, a decision is reached, and the household and local agency is notified of the decision. The Appellant requested an administrative hearing on ■■■■■ 2020; therefore, this decision is due no later than ■■■■■ 2020. (Hearing Record)

CONCLUSIONS OF LAW

1. Connecticut General Statutes § 17b-2 provides that the Department of Social Services is designated as the state agency for the administration of (7) the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.
2. "The department's Uniform Policy Manual ("UPM") is the equivalent of state regulation and, as such, carries the force of law." *Bucchere v. Rowe*, 43 Conn. Supp. 175, 178 (1994) (citing Conn. Gen. Stat. § 17b-10; *Richard v. Commissioner of Income Maintenance*, 214 Conn. 601, 573 A.2d 712 (1990)).
3. Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.9 (a) provides that participation in the Program shall be limited to those households whose incomes are determined to be a substantial limiting factor in permitting them to obtain a more nutritious diet. Households, which contain an elderly or disabled member, shall meet the net income eligibility standards for the Food Stamp Program. Households, which do not contain an elderly or disabled member, shall meet both the net income eligibility standards and the gross income eligibility standards for the Food Stamp Program. Households that are categorically eligible as defined in §273.2 (j) (2) or 273.2 (j) (4) do not have to meet either the gross or net income eligibility standards. The net and gross income eligibility standards shall be based on the levels

established in Section 673 (2) of the Community Services Block Grant Act (42 U.S.C. 9902 (2)).

7 C.F.R. § 273.2 (j) (2) (E) (ii) provides the State agency, at its option, may extend categorical eligibility to the following households only if doing so will further the purposes of the Food Stamp Act: (A) Any household (except those listed in paragraph (j)(2)(vii) of this section) in which all members receive or are authorized to receive non-cash or in-kind services from a program that is less than 50 percent funded with State money counted for MOE purposes under Title IV-A or Federal money under Title IV-A and that is designed to further purposes one and two of the TANF block grant, as set forth in Section 401 of P.L. 104-193. States must inform FNS of the TANF services under this paragraph that they are determining to confer categorical eligibility.

The Department correctly extended categorical eligibility to the Appellant.

4. 7 C.F.R. § 273.9 (b) (2) (ii) addresses which types of unearned income are included in the calculation of the SNAP allotment, and provides that annuities; pensions; retirement, veteran's, or disability benefits; worker's or unemployment compensation including any amounts deducted to repay claims for intentional program violations as provided in §272.12; old-age, survivors, or social security benefits; strike benefits; foster care payments for children or adults who are considered members of the household; gross income minus the cost of doing business derived from rental property in which a household member is not actively engaged in the management of the property at least 20 hours a week shall be considered unearned income.

UPM § 5050.13 (A) (6) provides that benefits received from Social Security by any member of a Food Stamps unit is counted in the calculation of eligibility and benefits for the entire unit.

The Department correctly determined the Appellant's monthly SSA amount is \$1,189.00.

5. 7 C.F.R. § 273.9 (d) (1) provides for the standard deduction.

UPM § 5045.15 (C) provides that the amount of applied income is calculated by reducing the combined total of net earnings, gross unearned income and deemed income by the following in the order presented:

1. a deduction for farming losses, if any;
2. a disregard of \$167.00 per month; {effective 10-1-19 through 9-30-20}
3. a deduction for unearned income to be used to fulfill a bona-fide plan to achieve self-support (PASS); Cross-reference: 5035.15;
4. the appropriate deduction for work-related dependent care expenses;
5. deduction for allowable medical expenses for those assistance unit members who qualify;

6. a deduction for legally obligated child support when it is paid for a child who is not a member of the assistance unit;
7. a deduction for shelter hardship, if applicable.
(Cross References: 5030 - "Income Disregards" and 5035 "Income Deductions")

UPM § 5045.15 (D) provides the remaining amount after the disregards and deductions are subtracted is the amount of the unit's applied income.

The Department correctly determined the Appellant's total income equaled \$1,189.00.

The Department correctly applied the \$167.00 standard deduction to the Appellant's income of \$1,189.00 to determine the amount of the Appellant's household adjusted gross income of \$1,022.00 for ██████████ 2020.

6. 7 C.F.R. § 273.9 (d) (6) (ii) provides for excess shelter deduction. Monthly shelter expenses in excess of 50 percent of the household's income after all other deductions in paragraphs (d)(1) through (d)(5) of this section have been allowed. If the household does not contain an elderly or disabled member, as defined in §271.2 of this chapter, the shelter deduction cannot exceed the maximum shelter deduction limit established for the area. For fiscal year 2001, effective March 1, 2001, the maximum monthly excess shelter expense deduction limits are \$340 for the 48 contiguous States and the District of Columbia, \$543 for Alaska, \$458 for Hawaii, \$399 for Guam, and \$268 for the Virgin Islands. FNS will set the maximum monthly excess shelter expense deduction limits for fiscal year 2002 and future years by adjusting the previous year's limits to reflect changes in the shelter component and the fuels and utilities component of the Consumer Price Index for All Urban Consumers for the 12-month period ending the previous November 30. FNS will notify State agencies of the amount of the limit. Only the following expenses are allowable shelter expenses: (A) Continuing charges for the shelter occupied by the household, including rent, mortgage, condo and association fees, or other continuing charges leading to the ownership of the shelter such as loan repayments for the purchase of a mobile home, including interest on such payments. (B) Property taxes, State and local assessments, and insurance on the structure itself, but not separate costs for insuring furniture or personal belongings.

UPM § 5035.15 (F) (1) provides for the calculation of the shelter hardship for the SNAP and states in part that the amount of shelter expenses which exceeds 50% of that portion of the assistance unit's income which remains after all other deductions have been subtracted is allowed as an additional deduction. Shelter expenses are limited to the following:

- a. rent, mortgage payments, and any continuing charges leading to ownership of the property occupied by the assistance unit excluding any portions allowed as self-employment deductions in multiple-family dwellings;

The Department correctly determined that 50% of the Appellant's household adjusted gross income is \$511.00 (\$1,022.00 * 0.50).

7. 7 C.F.R. § 271.2 defines an elderly or disabled member of a household who: (1) Is 60 years of age or older; (2) Receives supplemental security income benefits under title XVI of the Social Security Act or disability or blindness payments under titles I, II, X, XIV, or XVI of the Social Security Act; (3) Receives federally or State-administered supplemental benefits under section 1616(a) of the Social Security Act provided that the eligibility to receive the benefits is based upon the disability or blindness criteria used under title XVI of the Social Security Act.

UPM § 5035.15 (F) (11) provides that for those units which include elderly or disabled members, or units whose only elderly or disabled member has been disqualified, a shelter hardship deduction is allowed with no maximum limit.

The Department correctly determined the Appellant is considered an elderly individual and therefore is not subject to a maximum shelter hardship.

8. 7 C.F.R. § 273.9(d) (6) (iii) provides for the Standard Utility Allowance ("SUA"). (A) With FNS approval, a State agency may develop the following standard utility allowances (standards) to be used in place of actual costs in determining a household's excess shelter deduction: an individual standard for each type of utility expense; a standard utility allowance for all utilities that includes heating or cooling costs (HCSUA); and, a limited utility allowance (LUA) that includes electricity and fuel for purposes other than heating or cooling, water, sewerage, well and septic tank installation and maintenance, telephone, and garbage or trash collection. The LUA must include expenses for at least two utilities. However, at its option, the State agency may include the excess heating and cooling costs of public housing residents in the LUA if it wishes to offer the lower standard to such households. The State agency may use different types of standards but cannot allow households the use of two standards that include the same expense. In States in which the cooling expense is minimal, the State agency may include the cooling expense in the electricity component. The State agency may vary the allowance by factors such as household size, geographical area, or season. Only utility costs identified in paragraph (d)(6)(ii)(C) of this section must be used in developing standards.

UPM § 5035.15 (F) (6) provides that an SUA determined annually by the agency to reflect changes in utility costs is used to represent the total monthly utility expenses of the assistance unit if:

- a. the assistance unit incurs heating fuel or cooling costs separately from rent or mortgage payments; and
- b. the bill is established on the basis of individualized metering of service to the unit; or
- c. the costs are paid:
 - (1) totally or partially by the unit; or

- (2) partially from a federal means-tested energy program directly to the service provider or to the recipient when these payments are less than the unit's total monthly heating or cooling costs; or
- (3) totally by CEAP regardless of whether the payment is made to the unit or directly to the service provider.

The Department correctly determined the Appellant's shelter cost for [REDACTED] 2020 is \$1,186.00 (\$450.00 rent + \$736.00 SUA).

The Department correctly determined the Appellant's shelter hardship for [REDACTED] 2020 is \$675.00 (\$1,186.00 - \$511.00).

The Department correctly determined the Appellant's net adjusted income for [REDACTED] 2020 is \$347.00 (\$1,022.00 - \$675.00).

9. 7 C.F.R. § 273.10 (e) (2) (ii) (A) provides except as provided in paragraphs (a)(1), (e)(2)(iii) and (e)(2)(vi) of this section, the household's monthly allotment shall be equal to the maximum SNAP allotment for the household's size reduced by 30 percent of the household's net monthly income as calculated in paragraph (e)(1) of this section. If 30 percent of the household's net income ends in cents, the State agency shall round in one of the following ways: (1) The State agency shall round the 30 percent of net income up to the nearest higher dollar.

UPM § 6005 (C) provides that in the SNAP, the amount of benefits is calculated by: (1) multiplying the assistance unit's applied income by 30%; and (2) rounding the product up to the next whole dollar if it ends in 1-99 cents; and (3) subtracting the rounded product from the Food Stamp standard of assistance for the appropriate unit size.

The Department correctly determined that 30% of the Appellant's net adjusted income, rounded up, for [REDACTED] 2020 is \$105.00 (\$347.00 * 0.30).

10. 7 C.F.R. § 273.10(e) (4) (i) provides for the Thrifty Food Plan (TFP) and Maximum Food Stamp Allotments. Maximum food stamp allotment level. Maximum food stamp allotments shall be based on the TFP as defined in §271.2, and they shall be uniform by household size throughout the 48 contiguous States and the District of Columbia. The TFP for Hawaii shall be the TFP for the 48 States and DC adjusted for the price of food in Honolulu. The TFPs for urban, rural I, and rural II parts of Alaska shall be the TFP for the 48 States and DC adjusted by the price of food in Anchorage and further adjusted for urban, rural I, and rural II Alaska as defined in §272.7(c). The TFPs for Guam and the Virgin Islands shall be adjusted for changes in the cost of food in the 48 States and DC, provided that the cost of these TFPs may not exceed the cost of the highest TFP for the 50 States. The TFP amounts and maximum allotments in each area are adjusted annually and will be prescribed in a table posted on the FNS web site, at www.fns.usda.gov/fsp.

UPM § 4535.10 (A) (1) provides that the Thrifty Food Plan represents the minimum food expenditure that is required to meet an assistance unit's basic monthly nutritional requirements and the maximum amount of benefits available to a qualified assistance unit with no applied income.

UPM § 4535.10 (A) (2) provides that the Thrifty Food Plan standards vary according to the size of the assistance units and are uniform statewide for an assistance unit of equal size.

UPM P-4535.10 provides for the Thrifty Food Plan for a qualified assistance unit with no applied income for a household of one effective October 2019 through September 2020 is \$194.00.

11. Effective [REDACTED] 2020, the Appellant's SNAP benefit is computed as follows:

SNAP BENEFIT CALCULATION

<u>UNEARNED INCOME</u>	
Social Security	\$1,189.00
Total Income	\$1,189.00
Less standard deduction	-\$167.00
Adjusted Gross Income	=\$1,022.00
<u>SHELTER COSTS</u>	
Rent	\$450.00
SUA	\$736.00
Total shelter costs	\$1,186.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$1,186.00
Less 50% of adjusted gross income	-\$511.00
Total shelter hardship	\$675.00 <small>(Cannot exceed \$569 unless elderly or disabled)</small>
<u>NET ADJUSTED INCOME</u>	
Adjusted gross income	\$1,022.00
Less shelter hardship	-\$675.00
Net Adjusted Income (NAI)	\$347.00
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 1 Person	\$194.00
Less 30% of NAI	-\$105.00

SNAP award	\$89.00
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The Department correctly determined the Appellant eligible for \$89.00 per month in SNAP benefits effective [REDACTED] 2020.

There is no scenario present given the Appellant's income and shelter costs to find the Appellant eligible for \$139.00 in SNAP benefits.

12. 7 C.F.R. § 273.2 (a) (2) provides the application process includes filing and completing an application form, being interviewed, and having certain information verified. The State agency must act promptly on all applications and provide SNAP benefits retroactive to the month of application to those households that have completed the application process and have been determined eligible. States must meet application processing timelines, regardless of whether a State agency implements a photo EBT card policy. The State agency must make expedited service available to households in immediate need. Specific responsibilities of households and State agencies in the application process are detailed below.

7 C.F.R. § 273.2 (b) (3) provides for jointly processed cases. If a State agency has a procedure that allows applicants to apply for SNAP and another program at the same time, the State agency shall notify applicants that they may file a joint application for more than one program or they may file a separate application for SNAP benefits independent of their application for benefits from any other program. All SNAP applications, regardless of whether they are joint applications or separate applications, must be processed for SNAP purposes in accordance with SNAP procedural, timeliness, notice, and fair hearing requirements. No household shall have its SNAP benefits denied solely on the basis that its application to participate in another program has been denied or its benefits under another program have been terminated without a separate determination by the State agency that the household failed to satisfy a SNAP eligibility requirement. Households that file a joint application for SNAP benefits and another program and are denied benefits for the other program shall not be required to resubmit the joint application or to file another application for SNAP benefits but shall have its SNAP eligibility determined based on the joint application in accordance with the SNAP processing time frames from the date the joint application was initially accepted by the State agency.

The medical assistance application the Appellant submitted on [REDACTED] 2020 is deemed an acceptable date of application for the Appellant's SNAP request.

13. 7 C.F.R. § 273.10 (a) Month of application—(1) provides for the determination of eligibility and benefit levels. (i) A household's eligibility shall be determined for the month of application by considering the household's circumstances for the entire month of application. Most households will have the eligibility determination based on circumstances for the entire calendar month in which the household filed its application. However, State agencies may, with the prior approval of FNS, use a fiscal month if the State agency determines that it is more efficient and satisfies FNS

that the accounting procedures fully comply with certification and issuance requirements contained in these regulations. A State agency may elect to use either a standard fiscal month for all households, such as from the 15th of one calendar month to the 15th of the next calendar month, or a fiscal month that will vary for each household depending on the date an individual files an application for the Program. Applicant households consisting of residents of a public institution who apply jointly for SSI and SNAP benefits prior to release from the public institution in accordance with §273.11(i) will have their eligibility determined for the month in which the applicant household was released from the institution.

7 C.F.R. § 273.10 (a) (ii) provides a household's benefit level for the initial months of certification shall be based on the day of the month it applies for benefits and the household shall receive benefits from the date of application to the end of the month unless the applicant household consists of residents of a public institution. For households which apply for SSI prior to their release from a public institution in accordance with §273.11(e), the benefit level for the initial month of certification shall be based on the date of the month the household is released from the institution and the household shall receive benefits from the date of the household's release from the institution to the end of the month. As used in this section, the term "initial month" means the first month for which the household is certified for participation in SNAP following any period during which the household was not certified for participation, except for migrant and seasonal farmworker households. In the case of migrant and seasonal farmworker households, the term "initial month" means the first month for which the household is certified for participation in SNAP following any period of more than 1 month during which the household was not certified for participation. Recertification shall be processed in accordance with §273.10(a)(2). The State agency shall prorate a household's benefits according to one of the two following options: (A) The State agency shall use a standard 30-day calendar or fiscal month. A household applying on the 31st of a month will be treated as though it applied on the 30th of the month. (B) The State agency shall prorate benefits over the exact length of a particular calendar or fiscal month.

7 C.F.R. § 273.10 (a) (iii) provides that to determine the amount of the prorated allotment, the State agency shall use either the appropriate Food Stamp Allotment Proration Table provided by FNS or whichever of the following formulae is appropriate: (A) For State agencies which use a standard 30-day calendar or fiscal month the formula is as follows, keeping in mind that the date of application for someone applying on the 31st of a month is the 30th:

$$\text{full month's benefits} \times \frac{(31 - \text{date of application})}{30} = \text{allotment}$$

$$\$89 * (31 - 5 = 26) 26/30 = 0.867$$

$$\$89 * 0.867 = \$77.00 \text{ allotment}$$

7 C.F.R. § 273.10 (g) provides for certification notices to households—(1) Initial applications. State agencies shall provide applicants with one of the following written notices as soon as a determination is made, but no later than 30 days after the date of the initial application: (i) Notice of eligibility. (A) If an application is approved, the State agency shall provide the household with written notice of the amount of the allotment and the beginning and ending dates of the certification period. The household shall also be advised of variations in the benefit level based on changes anticipated at the time of certification. If the initial allotment contains benefits for both the month of application and the current month's benefits, the notice shall explain that the initial allotment includes more than 1 month's benefits, and shall indicate the monthly allotment amount for the remainder of the certification period. The notice shall also advise the household of its right to a fair hearing, the telephone number of the SNAP office (a toll-free number or a number where collect calls will be accepted for households outside the local calling area), and, if possible, the name of the person to contact for additional information. If there is an individual or organization available that provides free legal representation, the notice shall also advise the household of the availability of the services. The State agency may also include in the notice a reminder of the household's obligation to report changes in circumstance and of the need to reapply for continued participation at the end of the certification period. Other information which would be useful to the household may also be included.

The Department's notice that explained the Appellant's SNAP effective date and the grant amount is inaccurate.

The Appellant is eligible for SNAP effective [REDACTED] 2020. The Appellant is due \$69.00 which is the difference between \$77.00 entitled and \$8.00 issued.

14. 7 C.F.R. § 273.15 (g) provides the time period for requesting a hearing. A household shall be allowed to request a hearing on any action by the State agency or loss of benefits which occurred in the prior 90 days.

The Appellant's request that the Department adjust his SNAP allotment from the date he of his [REDACTED] 2019 move to [REDACTED] 2020 was not made within 90 days from the date of his move.

DISCUSSION


The Appellant's contention that he is due a SNAP underpayment from \$98 in [REDACTED] 2019 to \$139 for [REDACTED] 2020 is not supported by the evidence on file given his shelter costs and income. The Appellant's SSA increase in [REDACTED] 2020 together with a lower rent amount of \$450.00 results in a reduced SNAP benefit, not a higher benefit. The Appellant's SNAP benefit as noted on the [REDACTED] 2019 departmental notice is not supported by the facts and evidence submitted for the hearing.

DECISION

The Appellant's appeal is denied with regards to his current SNAP benefit and requested supplement but granted concerning the effective date of his SNAP assistance.

ORDER

The Department is instructed to supplement the Appellant \$77.00 in SNAP for [REDACTED] 2020. Proof of compliance is due within 10 days from the date of this decision and will consist of a copy of the Appellant's benefit history.


Christopher Turner
Hearing Officer

Cc: Rachel Anderson, Operations Manager New Haven
Cheryl Stuart, Operations Manager New Haven
Lisa Wells, Operations Manager New Haven
Mary Sblendorio, DSS New Haven

RIGHT TO REQUEST RECONSIDERATION

The appellant has the right to file a written reconsideration request within 15 days of the mailing date of the decision on the grounds there was an error of fact, law, and new evidence has been discovered, or other good cause exists. If the request for reconsideration is granted, the appellant will be notified within 25 days of the request date. No response within 25 days means that the request for reconsideration has been denied. The right to request a reconsideration is based on §4-181a (a) of the Connecticut General Statutes.

Reconsideration requests should include specific grounds for the request: for example, indicate what error of fact or law, what new evidence, or what other good cause exists.

Reconsideration requests should be sent to: Department of Social Services, Director, Office of Administrative Hearings and Appeals, 55 Farmington Avenue, Hartford, CT 06105-3725.

RIGHT TO APPEAL

The appellant has the right to appeal this decision to Superior Court within 45 days of the mailing of this decision, or 45 days after the agency denies a petition for reconsideration of this decision, if the petition for reconsideration was filed timely with the Department. The right to appeal is based on §4-183 of the Connecticut General Statutes. To appeal, a petition must be filed at Superior Court. A copy of the petition must be served upon the Office of the Attorney General, 55 Elm Street, Hartford, CT 06106 or the Commissioner of the Department of Social Services, 55 Farmington Avenue, Hartford, CT 06105-3725. A copy of the petition must also be served on all parties to the hearing.

The 45-day appeal period may be extended in certain instances if there is good cause. The extension request must be filed with the Commissioner of the Department of Social Services in writing no later than 90 days from the mailing of the decision. Good cause circumstances are evaluated by the Commissioner or the Commissioner's designee in accordance with §17b-61 of the Connecticut General Statutes. The Agency's decision to grant an extension is final and is not subject to review or appeal.

The appeal should be filed with the clerk of the Superior Court in the Judicial District of New Britain or the Judicial District in which the appellant resides.