

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 # 154703

NOTICE OF DECISION

PARTY

████████████████████
████████████████████
████████████████████

PROCEDURAL BACKGROUND

On ██████████ 2020, the Department of Social Services (the “Department”) sent ██████████
██████████ (“Appellant”) a notice of action approving her for \$16.00 in Supplemental
Nutrition Assistance Program (“SNAP”) benefits effective ██████████ 2020.

On ██████████ 2020, the Appellant requested an administrative hearing by telephone to
contest the Department’s determination 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 participated by telephone:

████████████████████ Appellant
████████████████████ Appellant’s Friend
Jacqueline Taft, Department’s Representative
Christopher Turner, Hearing Officer

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department was correct to grant the Appellant's SNAP application without including her adult children in the assistance unit due to their student status.

FINDINGS OF FACT

1. On [REDACTED] 2020, the Department received the Appellant's online application for SNAP for herself and her two adult children. (Exhibit 2: Notice; Hearing summary)
2. On [REDACTED] 2020, the Department conducted a SNAP telephone interview with the Appellant. The Appellant's adult children are college students with one enrolled full-time at [REDACTED] and the other at [REDACTED]. (Hearing summary)
3. On [REDACTED] 2020, the Department sent the Appellant a notice granting her \$16.00 in SNAP. Also, the notice indicated the Appellant's adult children were denied benefits due to not meeting the eligible student requirements. (Exhibit 2: Notice)
4. The Appellant is [REDACTED] years old (DOB [REDACTED]) and her two adult children (DOB [REDACTED]) and DOB ([REDACTED]) are [REDACTED] and [REDACTED] years old respectively. (Hearing record; Appellant's testimony)
5. The Appellant receives \$336.00 gross weekly in unemployment compensation ("UCB"). The Appellant has not started to receive the \$600.00 Federal UCB special weekly payment. The Appellant's adult children are not working. (Hearing record; Appellant's testimony)
6. The Appellant's adult children are over the age of 17 and younger than 50. (Record; Appellant's testimony)
7. The Appellant's adult children are not caring for a minor child, receiving Temporary Assistance for Needy Families benefits, or working an average of 20 hours per week. (Hearing record; Appellant's testimony)
8. The Appellant's adult children are not participating in a state or federally financed work-study program or on the job training program. (Appellant's testimony)
9. The request from the Appellant's friend that the work requirements be waived for the Appellant's adult children during the current pandemic as the adult children have returned home is not supported by federal regulation. (Record)
10. The Appellant submitted a letter from a medical professional indicating her son who is enrolled at [REDACTED] is medically unfit to return to school and is seeking a medical leave of absence. (Appellant's Exhibit A: Medical certificate)

11. The issuance of this decision is timely under 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 [REDACTED] 2020; therefore, this decision was due no later than [REDACTED] 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.") § 273.1 provides for the household concept. (a) A household is composed of one of the following individuals or groups of individuals, unless otherwise specified in paragraph (b) of this section: (3) A group of individuals who live together and customarily purchase food and prepare meals together for home consumption.

7 C.F.R § 273.1 (b) provides for special household requirements—(1) Required household combinations. The following individuals who live with others must be considered as customarily purchasing food and preparing meals with the others, even if they do not do so, and thus must be included in the same household, unless otherwise specified: (ii) A person under 22 years of age who is living with his or her natural or adoptive parent(s) or step-parent(s).

The Department correctly determined the Appellant's adult children are under 22 years of age and are considered mandatory inclusions in the Appellant's SNAP assistance unit.

4. 7 C.F.R § 273.5 (a) provides that an individual who is enrolled at least half-time in an institution of higher education shall be ineligible to participate in SNAP unless the individual qualifies for one of the exemptions contained in paragraph (b) of this section. An individual is considered to be enrolled in an institution of higher education if the individual is enrolled in a business, technical, trade, or vocational school that normally requires a high school diploma or equivalency certificate for enrollment in the curriculum or if the individual is enrolled in a regular curriculum at a college or university that offers degree programs regardless of whether a high school diploma is required.

7 C.F.R. § 273.5 (b) provides that to be eligible for the program, a student as defined in paragraph (a) of the section must meet at least one of the following criteria. (1) Be age 17 or younger or age 50 or older; (2) Be physically or mentally unfit; (3) Be receiving Temporary Assistance for Needy Families under Title IV of the Social Security Act; (4) Be enrolled as a result of participation in the Job Opportunities and Basic Skills program under Title IV of the Social Security Act or its successor program; (5) Be employed for a minimum of 20 hours per week and be paid for such employment or, if self-employed, be employed for a minimum of 20 hours per week and receiving weekly earnings at least equal to the Federal minimum wage multiplied by 20 hours. The State agency may choose to determine compliance with this requirement by calculating whether the student worked an average of 20 hours per week for a month, quarter, trimester or semester. State agencies may choose to exclude hours accrued during academic breaks that do not exceed one month. A State agency that chooses to average student work hours must specify this choice and specify the time period over which the work hours will be averaged in its State plan of operation; (6) Be participating in a State or federally financed work-study program during the regular school year. (7) Be participating in an on-the-job training program. A person is considered to be participating in an on-the-job training program only during the period of time the person is being trained by the employer (8) Be responsible for the care of a dependent household member under the age of 6; (9) Be responsible for the care of a dependent household member who has reached the age of 6 but is under age 12 when the State agency has determined that adequate child care is not available to enable the student to attend class and comply with the work requirements of paragraph (b)(5) or (b)(6) of this section. (10) Be a single parent enrolled in an institution of higher education on a *full-time basis* (as determined by the institution) and be responsible for the care of a dependent child under age 12. (i) This provision applies in those situations where only one natural, adoptive or stepparent (regardless of marital status) is in the same food stamp household as the child. (ii) If no natural, adoptive or stepparent is in the same SNAP household as the child, another full-time student in the same SNAP household as the child may qualify for eligible student status under this provision if he or she has parental control over the child and is not living with his or her spouse. (11) Be assigned to or placed in an institution of higher education through or in compliance with the requirements of one of the programs identified in paragraphs (b)(11)(i) through (b)(11)(iv) of this section. Self-initiated placements during the period of time the person is enrolled in one of these employment and training programs shall be considered to be in compliance with the requirements of the employment and training program in which the person is enrolled provided that the program has a component for enrollment in an institution of higher education and that program accepts the placement. Persons who voluntarily participate in one of these employment and training programs and are placed in an institution of higher education through or in compliance with the requirements of the program shall also qualify for the exemption.

UPM § 3020 provides that there is a technical eligibility requirement relating to student status only in the Food Stamp program. Other student requirements for AFDC (cross-reference 2500) are categorical requirements.

UPM § 3020.05 (C) provides for student enrollment. 1. A student is considered enrolled in school no earlier than the first day of the school term. 2. Normal vacations, holidays or recess do not interrupt student status. 3. A student who graduates, is suspended, expelled, drops out or does not intend to register for the next normal school term (excluding summer school) loses student status.

The Department correctly determined that the Appellant's adult children are students of an institution of higher education attending half time or more enrolled for completion of curriculum requiring a high school diploma or the equivalent.

The Department correctly determined that the Appellant's adult children are not employed a minimum of 20 hours per week.

The Department determined that the Appellant's adult children do not meet the above conditions to be eligible for SNAP.

The Department correctly determined at the time of certification the Appellant's adult children were ineligible for SNAP benefits due to their student status.

After the hearing was held, the Appellant's son who attends [REDACTED] [REDACTED] is deemed mentally unfit to return to college per a medical professional statement.

5. 7 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 which 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's household.

6. 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.

The Department correctly determined the Appellant's UCB is considered unearned income and is included in the calculation of the Appellant's SNAP benefit.

7. 7 C.F.R. § 273.10 (c) (2) (i) provides for converting income into monthly amounts. Income anticipated during the certification period shall be counted as income only in the month it is expected to be received, unless the income is averaged. Whenever a full month's income is anticipated but is received on a weekly or biweekly basis, the State agency shall convert the income to a monthly amount by multiplying weekly amounts by 4.3 and biweekly amounts by 2.15, use the State Agency's PA conversion standard, or use the exact monthly figure if it can be anticipated for each month of the certification period. Nonrecurring lump sum payments shall be counted as a resource starting in the month received and shall not be counted as income.

UPM § 5025.05 (B) (2) provides that if income is received on other than a monthly basis, the estimate of income is calculated by multiplying 4.3 by a representative weekly amount that is determined as follows: b. if income varies from week to week, a representative period of at least four consecutive weeks is averaged to determine the representative weekly amount.

The Appellant's UCB was calculated as follows: $\$336.00 * 4.3 = \$1,444.80$.

The Appellant's total household income equals $\$1,444.80$.

8. 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 10-19 through 9-20}
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 subtracted the \$167.00 standard deduction to the Appellant's total income of \$1,444.80 to determine the amount of the Appellant's household adjusted gross income of \$1,277.80.

9. 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 \$638.90 (\$1,277.80 * 50%).

10. 7 C.F.R. § 271.2 provides the definition of an elderly or disabled member means a 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's household does not include a disabled individual or an elderly individual and therefore is not eligible for an uncapped shelter deduction based on age or disability.

11. 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 is \$1,236.00 (\$500.00 + \$736.00 SUA).

The Department correctly determined the Appellant's shelter hardship is \$597.10 (\$1,236.00 - \$638.90).

The Department correctly determined the Appellant's net adjusted income is \$708.80 (\$1,277.80 - \$569.00).

12. 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, is \$213.00 (\$708.80 * 0.30).

13. 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 assistance unit of equal size.

UPM P-4535.10 provides the Thrifty Food Plan for a qualified assistance unit with no applied income for a household of one effective October 1, 2019 through September 30, 2020 is \$194.00.

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

SNAP BENEFIT CALCULATION	
UNEARNED INCOME	
Appellant - UCB	\$1,444.80
Total Income	\$1,444.80
Less standard deduction	-\$167.00
Adjusted Gross Income	\$1,277.80
SHELTER COSTS	
Rent	\$500.00
SUA	\$736.00
Total Shelter Costs	\$1,236.00
SHELTER HARDSHIP	
Shelter costs	\$1,236.00
Less 50% of adjusted gross income	<u>\$638.90</u>
Total Shelter Hardship	\$597.10 (Cannot exceed \$569 unless elderly or disabled)

ADJUSTED NET INCOME	
Adjusted gross income	\$1,277.80
Less shelter hardship	-\$569.00
Net Adjusted Income (NAI)	\$708.80
BENEFIT CALCULATION	
Thrifty Food Plan for one	\$194.00
Less 30% of NAI	-\$213.00
SNAP Award	\$16.00

The Department determined the Appellant eligible for \$16.00 in SNAP benefits.

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

SNAP BENEFIT CALCULATION

UNEARNED INCOME	
Appellant - UCB	\$1,444.80
Total Income	\$1,444.80
Less standard deduction	-\$167.00
Adjusted Gross Income	\$1,277.80
SHELTER COSTS	
Rent	\$500.00
SUA	\$736.00
Total Shelter Costs	\$1,236.00
SHELTER HARDSHIP	
Shelter costs	\$1,236.00
Less 50% of adjusted gross income	-\$638.90
Total Shelter Hardship	\$597.10
	(Cannot exceed \$569 unless elderly or disabled)
ADJUSTED NET INCOME	
Adjusted gross income	\$1,277.80
Less shelter hardship	-\$569.00
Net Adjusted Income (NAI)	\$708.80
BENEFIT CALCULATION	
Thrifty Food Plan for two	\$355.00
Less 30% of NAI	-\$213.00
SNAP Award	\$142.00

The Appellant is eligible for \$142.00 monthly in SNAP.

DISCUSSION

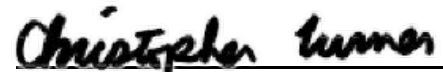
In order for the Appellant's adult children to receive SNAP benefits as students enrolled in higher education, they must be working a minimum of 20 hours per week or otherwise be exempt from participation. In the present case, the Appellant's adult children, at the time of SNAP certification were considered full-time students who were not employed at the time of application and not excused from meeting the criteria for participation in the SNAP. However, the Appellant's submission of a medical certificate for her youngest son results in the Appellant and the adult child as a needs group of two. As a result, the Appellant, and one adult child, are eligible for SNAP.

DECISION

The Appellant's appeal is granted in regards to her youngest child being added to the SNAP but denied in regards to the addition of her eldest child due to his status as a student of higher education.

ORDER

The Department is instructed to add the Appellant's youngest adult child to her SNAP assistance effective the date of application. Compliance is due within 10 days from the date of this decision and will consist of a copy of the Appellant's grant notice.



Christopher Turner
Hearing Officer

Cc: Rachel Anderson, Operations Manager New Haven
Cheryl Stuart, Operations Manager New Haven
Lisa Wells, Operations Manager New Haven
Jacqueline Taft, 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 or law, 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 the 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.