

STATE OF CONNECTICUT
DEPARTMENT OF SOCIAL SERVICES
OFFICE OF LEGAL COUNSEL, REGULATIONS, AND ADMINISTRATIVE HEARINGS
55 FARMINGTON AVENUE
HARTFORD, CT 06105-3725

██████████, 2023
Signature Confirmation

Case ID # ██████████
Client ID # ██████████
Request # 206063

NOTICE OF DECISION

PARTY

██████████
██████████
██████████

PROCEDURAL BACKGROUND

On ██████████ 2022, the Department of Social Services (“the Department”) sent ██████████ (the “Appellant”) a Notice of Action (“NOA”) advising her that her Supplemental Nutrition Assistance Program (“SNAP”) benefits were increasing from \$106.00 to \$341.00 per month, effective ██████████ 2022. On ██████████, 2022, the Department sent a second NOA to the Appellant advising her that her SNAP benefits were again increasing to \$475.00 per month effective ██████████ 2022. On ██████████, 2022, the Department sent a third NOA to the Appellant advising her that her SNAP benefits were decreasing to \$451.00 per month effective ██████████ 2023.

On ██████████ the Appellant requested an administrative hearing because she disagrees with the date that her SNAP benefits increased, and she disagrees with the benefit amount.

On ██████████ 2022, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) issued a notice scheduling the administrative hearing for ██████████, 2022. Due to an agency error, the administrative hearing was rescheduled.

On ██████████, 2022, OLCRAH issued a notice scheduling the administrative hearing for ██████████ 2023.

On ██████████ 2023, in accordance with sections 17b-60, 17b-61, and 4-176e to 4-189, inclusive, of the Connecticut General Statutes, OLCRAH held an administrative hearing. The following individuals participated in the hearing:

██████████, Appellant
Glenn Guerrero, Department's Representative
Kristin Haggan, Fair Hearing Officer

STATEMENT OF THE ISSUES

The first issue is whether the Department correctly increased the Appellant's SNAP benefit to \$475.00 per month, effective ██████████ 2022.

The second issue is whether the Department correctly decreased the Appellant's SNAP benefit to \$451.00 per month, effective ██████████ 2023.

FINDINGS OF FACT

1. The Appellant is █ years old (██████████). (*Hearing Record, Appellant's Testimony*)
2. The Appellant received a SNAP benefit for a household of one person in the amount of \$106.00 per month in ██████████ 2022 and ██████████ 2022. (*Appellant's Testimony, Exhibit 12: Benefit Issuance Search*)
3. The Appellant regained physical custody of her daughter effective ██████████, 2022. (*Appellant's Testimony, Exhibit A: Letter from Attorney dated ██████████*)
4. The Appellant contacted the Department's Benefit Center sometime during ██████████ 2022, to report that she had regained custody of her daughter. There is no record of this report found in the Impact system. (*Appellant's Testimony, Exhibit 13: Impact Case Notes ██████████, Department's Testimony*)
5. On ██████████ 2022, the Appellant visited the ██████████ DSS Service Center and reported that the Department of Children and Families ("DCF") reverted custody to her through the court system, effective ██████████, 2022. The Appellant provided a copy of the revocation order. The Department updated the Appellant's SNAP benefit to reflect a household of two members (the Appellant and her daughter). The Department issued the Appellant an NOA advising that her SNAP benefit would increase to \$341.00 per month effective ██████████ 2022. (*Hearing Summary, Exhibit 1: Court Revocation Order, Exhibit 3: NOA issued ██████████*)
6. On ██████████, 2022, the Appellant visited the ██████████ DSS Service Center. The Department verified that the Appellant's unemployment income was ending ██████████ ██████████ 2022, and terminated the income in the Impact system effective ██████████ 2022. The Department issued the Appellant an NOA advising her that her SNAP

benefit would increase to \$475.00 per month effective [REDACTED] 2022. (*Hearing Summary, Exhibit 7: NOA issued [REDACTED]*)

7. The Appellant's only income is from her daughter's Social Security Survivor's ("SSA") benefit which was \$951.00 per month through [REDACTED] 2022. Due to a Cost-of-Living Allowance ("COLA") increase, her daughter's SSA benefit increased to \$1,033.00 per month, effective [REDACTED] 2023. (*Appellant's Testimony, Department's Testimony, Hearing Record*)
8. On [REDACTED], 2022, the Impact system auto-updated the daughter's SSA increase, and the Department issued the Appellant an NOA advising her that her SNAP benefit would decrease to \$451.00 per month, effective [REDACTED] 2023. (*Department's Testimony, Exhibit 11: NOA issued [REDACTED]*).
9. There are no elderly or disabled members in the Appellant's household. (*Appellant's Testimony*)
10. At the time of recertification, the Appellant's monthly mortgage was \$990.00, which includes her insurance. The property taxes are not included. (*Appellant's Testimony*)
11. At the hearing, the Appellant reported her mortgage has been reduced to \$962.84 per month. (*Appellant's Testimony*)
12. The Appellant is responsible for her heating costs. (*Appellant's Testimony*)
13. The issuance of this decision is timely under Title 7 of the Code of Federal Regulations ("C.F.R") § 273.15 (c) (1) which provides that the agency shall issue a decision within 60 days of receipt of a request for a fair hearing. The Appellant requested an administrative hearing on [REDACTED], 2022. OLCRAH scheduled an administrative hearing for [REDACTED], 2022. Due to an agency error, OLCRAH rescheduled the hearing. OLCRAH held an administrative hearing on [REDACTED] 2023, and the record closed that day. The undersigned reopened the record on [REDACTED] 2023, and requested the Department provide more verifications. The hearing record closed on [REDACTED] 2023. Due to the extra delay of two days, this decision is due no later than [REDACTED], 2023. (*Hearing Record*)

CONCLUSIONS OF LAW

1. Section 17b-2(7) of the Connecticut General Statutes provides that the Department of Social Services is designated as the state agency for the administration of the Supplemental Nutrition Assistance Program pursuant to the Food and Nutrition Act of 2008.

The Department has the authority to review the Appellant's SNAP benefits

and determine whether she meets the program's eligibility requirements.

2. 7 C.F.R. § 273.12(c)(1) provides for changes that result in an increase of benefits.
 - (i) For changes which result in an increase in a household's benefits, other than changes described in paragraph (c)(1)(ii) of this section, the State agency shall make the change effective no later than the first allotment issued 10 days after the date the change was reported to the State agency. For example, a \$30 decrease in income reported on the 15th of May would increase the household's June allotment. If the same decrease were reported on May 28, and the household's normal issuance cycle was on June 1, the household's allotment would have to be increased by July.
 - (ii) For changes which result in an increase in a household's benefits due to the addition of a new household member who is not a member of another certified household, or due to a decrease of \$50 or more in the household's gross monthly income, the State agency shall make the change effective not later than the first allotment issued 10 days after the date the change was reported. However, in no event shall these changes take effect any later than the month following the month in which the change is reported. Therefore, if the change is reported after the 20th of a month and it is too late for the State agency to adjust the following month's allotment, the State agency shall issue a supplementary ATP or otherwise provide an opportunity for the household to obtain the increase in benefits by the 10th day of the following month, or the household's normal issuance cycle in that month, whichever is later. For example, a household reporting a \$100 decrease in income at any time during May would have its June allotment increased. If the household reported the change after the 20th of May and it was too late for the State agency to adjust the ATP normally issued on June 1, the State agency would issue a supplementary ATP for the amount of the increase by June 10.
 - (iii) The State agency may elect to verify changes which result in an increase in a household's benefits in accordance with the verification requirements of § 273.2(f)(8)(ii), prior to taking action on these changes. If the State agency elects this option, it must allow the household 10 days from the date the change is reported to provide verification required by § 273.2(f)(8)(ii). If the household provides verification within this period, the State shall take action on the changes within the timeframes specified in paragraphs (c)(1) (i) and (ii) of this section. The timeframes shall run from the date the change was reported, not from the date of verification. If, however, the household fails to provide the required verification within 10 days after the change is reported but does provide the verification at a later date, then the timeframes specified in paragraphs (c)(1) (i) and (ii) of this section for taking action on changes shall run from the date verification is provided rather than from the date the change is reported. If the State agency does not elect this option, verification required by § 273.2(f)(8)(ii) must be obtained prior to the issuance of the second normal monthly allotment after the change is

reported. If in these circumstances the household does not provide verification, the household's benefits will revert to the original benefit level. Whenever a State agency increases a household's benefits to reflect a reported change and subsequent verification shows that the household was actually eligible for fewer benefits, the State agency shall establish a claim for the overissuance in accordance with § 273.18. In cases where the State agency has determined that a household has refused to cooperate as defined in § 273.2(d), the State agency shall terminate the household's eligibility following the notice of adverse action.

The Department correctly added the Appellant's daughter to her household effective [REDACTED] 2022, the date the Appellant reported her daughter was living in the home and provided court documentation as verification.

The Department correctly increased the Appellant's SNAP benefit effective [REDACTED] 2022, which was the month following the date that the Appellant reported and verified the change.

3. 7 C.F.R. § 273.1(a) provides for household concept and states that a household is composed of one of the following individuals or groups of individuals, unless otherwise specified in paragraph (b) of this section

7 C.F.R. § 273.1(b)(1) provides for *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.

- (i) Spouses;
- (ii) A person under 22 years of age who is living with his or her natural or adoptive parent(s) or step-parent(s); and
- (iii) A child (other than a foster child) under 18 years of age who lives with and is under the parental control of a household member other than his or her parent. A child must be considered to be under parental control for purposes of this provision if he or she is financially or otherwise dependent on a member of the household, unless State law defines such a person as an adult.

The Department correctly determined the Appellant's household size of two members, herself, and her daughter, effective [REDACTED] 2022.

4. 7 C.F.R. § 273.9 (a) provides that participation in the Program shall be limited to those households whose income 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) (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 outlined 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.

7 C.F.R. § 271.2 defines an elderly or disabled member as 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.

The Department correctly determined that the Appellant's household does not contain an elderly or disabled individual; therefore, the household is subject to both the net and gross income eligibility standard.

5. 7 C.F.R. § 273.9(b) states that household income shall mean all income from whatever source excluding only items specified in paragraph (c) of this section.

7 C.F.R. § 273.9(b)(2) provides that unearned income shall include but not be limited to:

- (ii) 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.

The Department correctly considered the daughter's Social Security survivor payments as unearned income in the calculation of the Appellant's household's SNAP benefits.

The Department correctly determined that the Appellant's total gross household income was \$951.00 effective [REDACTED] 2022, and \$1033.00 effective [REDACTED] 2023.

6. 7 C.F.R. § 273.9(d)(1)(i) provides for the standard deduction. *48 States, District of Columbia, Alaska, Hawaii, and the Virgin Islands*. Effective October 1, 2002, in the 48 States and the District of Columbia, Alaska, Hawaii, and the Virgin Islands, the standard deduction for household sizes one through six shall be equal to 8.31 percent of the monthly net income eligibility standard for each household size established under paragraph (a)(2) of this section rounded up to the nearest whole dollar. For household sizes greater than six, the standard deduction shall be equal to the standard deduction for a six-person household.

The Department correctly determined the Appellant is eligible for the standard deduction, which is \$193.00 for a household of two members, effective [REDACTED] 2022.

7. 7 C.F.R. § 273.9(d)(6)(iii) provides in relevant part for the following: *Standard utility allowances*. (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).

The Department correctly determined the Appellant is entitled to the Standard Utility Allowance ("SUA"), which is \$921.00, effective [REDACTED] 2022.

8. 7 C.F.R. § 273.9(d)(6)(ii) provides the following: *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) The cost of fuel for heating; cooling (i.e., the operation of air conditioning systems or room air conditioners); electricity or fuel used for purposes other than heating or cooling; water; sewerage; well installation and maintenance; septic tank system installation and maintenance; garbage and trash collection; all service fees required to provide service for one telephone, including, but not limited to, basic service fees, wire maintenance fees, subscriber line charges, relay center surcharges, 911 fees, and taxes; and fees charged by the utility provider for initial installation of the utility. One-time deposits cannot be included.

The Department correctly determined that the Appellant is subject to the shelter hardship cap of \$624.00 because there are no elderly or disabled members in the home.

The Department correctly calculated the Appellant's shelter expenses as \$990.00 (mortgage) based on the information reported at the time of recertification.

The Department correctly calculated the Appellant's total shelter cost are \$1911.00 (\$990 mortgage plus \$921 SUA), based on the information reported at the time of recertification.

9. 7 C.F.R. § 273.10(e)(1)(i) provides the following: *Calculating net income and benefit levels-(1) Net monthly income.* To determine a household's net monthly income, the State agency shall:
 - A. Add the gross monthly income earned by all household members and the total monthly unearned income of all household members, minus income exclusions, to determine the household's total gross income. Net losses from the self-employment income of a farmer shall be offset in accordance with §273.11(a)(2)(iii).
 - B. Multiply the total gross monthly earned income by 20 percent and subtract that amount from the total gross income; or multiply the total gross monthly earned income by 80 percent and add that to the total monthly unearned income, minus income exclusions. If the State agency has chosen to treat legally obligated child support payments as an income exclusion in accordance with §273.9(c)(17), multiply the excluded earnings used to pay child support by 20 percent and subtract that amount from the total gross monthly income.
 - C. Subtract the standard deduction.

- D. If the household is entitled to an excess medical deduction as provided in §273.9(d)(3), determine if total medical expenses exceed \$35. If so, subtract that portion which exceeds \$35.
- E. Subtract allowable monthly dependent care expenses if, any, as specified under § 273.9(d)(4) for each dependent.
- F. If the State agency has chosen to treat legally obligated child support payments as a deduction rather than an exclusion in accordance with § 273.9(d)(5), subtract allowable monthly child support payments in accordance with § 273.9(d)(5).
- G. Subtract the homeless shelter deduction, if any, up to the maximum of \$143.
- H. Total the allowable shelter expenses to determine shelter costs, unless a deduction has been subtracted in accordance with paragraph (e)(1)(i)(G) of this section. Subtract from total shelter costs 50 percent of the household's monthly income after all the above deductions have been subtracted. The remaining amount, if any, is the excess shelter cost. If there is no excess shelter cost, the net monthly income has been determined. If there is excess shelter cost, compute the shelter deduction according to paragraph (e)(1)(i)(I) of this section.
- I. Subtract the excess shelter cost up to the maximum amount allowed for the area (unless the household is entitled to the full amount of its excess shelter expenses) from the household's monthly income after all other applicable deductions. Households not subject to a capped shelter expense shall have the full amount exceeding 50 percent of their net income subtracted. The household's net monthly income has been determined.

The Department correctly determined that the Appellant's excess shelter costs are \$1532.00, which are capped at the maximum of \$624.00 per month.

The Department correctly determined the Appellant's net adjusted income is \$134.00 (\$758.00 - \$624.00) effective [REDACTED] 2022.

The Department correctly determined the Appellant's net adjusted income is \$216.00 (\$840.00 - \$624.00) effective [REDACTED] 2022.

10.7 C.F.R. § 273.10(e)(2)(ii)(A) provides the following: 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".

The Department correctly determined that 30% of the Appellant's household's net adjusted income, rounded up is \$41.00 (\$134.00 x 30%) effective [REDACTED] 2022.

The Department correctly determined that 30% of the Appellant's household's net adjusted income, rounded up is \$65.00 (\$216.00 x 30%) effective [REDACTED] 2022.

11.7 C.F.R. § 273.10(e)(4) provides the following: Thrifty Food Plan (TFP) and Maximum SNAP Allotments. (i) Maximum SNAP allotment level. Maximum SNAP 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.

The TFP for a household of two from [REDACTED] 2022, through [REDACTED], 2023, is \$516.00.

12. The Appellant's SNAP benefit for the month of [REDACTED] 2022 is calculated as follows:

SNAP BENEFIT CALCULATION

<u>INCOME</u>	
Total Unearned Income (SSA)	\$951.00
Less standard deduction	<u>-\$193.00</u>
Adjusted gross income	\$758.00
<u>SHELTER COSTS</u>	
Mortgage	\$990.00
SUA	<u>+\$921.00</u>
Total shelter costs	\$1911.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$1911.00

Less 50% of adjusted gross income	<u>-\$379.00</u>
Total shelter hardship	\$1532.00
	Capped at \$624.00
	(Cannot exceed \$624.00 unless elderly or disabled)
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	\$758.00
Less shelter hardship	<u>-\$624.00</u>
Net Adjusted Income (NAI)	\$134.00
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for two	\$516.00
Less 30% of NAI (rounded up to nearest dollar)	<u>-\$41.00</u>
SNAP award	\$475.00

The Department correctly increased the Appellant's SNAP benefits to \$475.00 for the month of [REDACTED] 2022.

13. The Appellant's SNAP benefit for the month of [REDACTED] 2023 is calculated as follows:

SNAP BENEFIT CALCULATION

<u>INCOME</u>	
Total Unearned Income (SSA)	\$1033.00

Less standard deduction	<u>-\$193.00</u>
Adjusted gross income	\$840.00
<u>SHELTER COSTS</u>	
Mortgage	\$990.00
SUA	<u>+\$921.00</u>
Total shelter costs	\$1911.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$1911.00
Less 50% of adjusted gross income	<u>-\$420.00</u>
Total shelter hardship	\$1491.00
	\$624.00
	(Cannot exceed \$624.00 unless elderly or disabled)
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	\$840.00
Less shelter hardship	<u>-\$624.00</u>
Net Adjusted Income (NAI)	\$216.00
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for two	\$516.00
Less 30% of NAI (rounded up to nearest dollar)	<u>-\$65.00</u>

SNAP award	\$451.00
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The Department correctly decreased the Appellant's SNAP benefits to \$451.00 for the month of [REDACTED] 2023.

DISCUSSION

The Appellant stated during the hearing that she had previously contacted the Department by phone in [REDACTED] of 2022 and reported that she had gained custody of her daughter. The Department staff conducted a search of Impact and found that the Appellant first reported a change on [REDACTED] 2022.

The Appellant stated during the hearing that she has a letter from her lawyer that proves she has had physical custody of her daughter since [REDACTED], 2022. The Appellant provided a copy of this letter to the Hearing Officer on the day of the hearing. The attorney did not sign the letter and dated it [REDACTED] 2022, which is an even later date than the original court document that the Appellant provided to the Department on [REDACTED] 2022.

The Appellant feels that she should have received an increase in her SNAP benefit for the months of [REDACTED] 2022 and [REDACTED] 2022 because her daughter was in her home. The Department acted upon the change on [REDACTED] 2022, when the Appellant reported the change and provided verification. The Department updated the Impact system appropriately on [REDACTED] 2022, and correctly increased the Appellant's SNAP benefits effective [REDACTED] 2022.

It should be noted that the Department did not consider the amount of the Appellant's property taxes in the calculation of her SNAP benefits; however, the shelter costs were capped at the maximum already. It is unknown if the Appellant verified, or the Department requested verification of the property taxes. The Appellant reported a change in her mortgage. The Department should verify the reported change and the amount of the Appellant's taxes based on reporting requirements.

DECISION

The Appellant's appeal is **DENIED with respect to the effective date of the SNAP benefit increase on [REDACTED] 2022.**

The Appellant's appeal is **DENIED with respect to the SNAP benefit amount decreasing effective [REDACTED] 2023.**

Kristin Haggan

Kristin Haggan
Fair Hearing Officer

CC: Jill Sweeney, SSOM, Torrington DSS
Glenn Guerrero, Hearing Liaison, Torrington DSS

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 the Department of Social Services, Director, Office of Legal Counsel, Regulations, and Administrative Hearings, 55 Farmington Avenue, Hartford, CT 06105.

RIGHT TO APPEAL

The appellant has the right to appeal this decision to the 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, 165 Capitol Avenue, Hartford, CT 06106, or the Commissioner of the Department of Social Services, 55 Farmington Avenue, Hartford, CT 06105. 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 her designee in accordance with §17b-61 of the Connecticut General Statutes. The Agency's decision to grant an extension is final and 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.