

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

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

Client ID ██████████  
Case ID ██████████  
Request # 207914

**NOTICE OF DECISION**

**PARTY**

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

**PROCEDURAL BACKGROUND**

On ██████████ 2022, the Department of Social Services (the “Department”) issued a notice of action to ██████████ (the “Appellant”). The notice informed the Appellant she is eligible for benefits under the Supplemental Nutritional Assistance Program (“SNAP”) in the amount of \$172.00 per month beginning ██████████ 2023.

On ██████████ 2022, the Appellant requested an administrative hearing to contest the Department’s decision to reduce her SNAP benefits beginning ██████████ 2023.

On ██████████ 2023, the Office of Legal Counsel, Regulations, and Administrative Hearings (“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 were present for the hearing:

██████████ Appellant  
Garfield White, Department Representative  
Lisa Nyren, Fair Hearing Officer

## **STATEMENT OF THE ISSUE**

The issue to be decided is whether the Department's calculation of the Appellant's SNAP benefits as \$172.00 beginning [REDACTED] 2023 is correct.

## **FINDINGS OF FACT**

1. The Appellant receives benefits under the SNAP for herself age [REDACTED] and her three children ages [REDACTED]. No one in the household is disabled. (Hearing Record)
2. The Appellant's 12-month SNAP certification period began [REDACTED] 2022 and ends on [REDACTED] 2023 unless her situation changes. (Department Representative Testimony, Exhibit 2: Federal SNAP-Income Test and Exhibit 3: Notice of Action)
3. On [REDACTED] 2022, the Appellant began working for the [REDACTED] (the "employer") earning \$1,960.00 gross pay bi-weekly. (Stipulated)
4. On [REDACTED] 2022, the Appellant reported her employment with the employer to the Department and the Department recalculated the Appellant's ongoing SNAP allotments. (Hearing Record)
5. The Department determined the Appellant's monthly gross wages as \$4,214.00.  $\$1,960.00 \text{ biweekly gross wages} / 2 \text{ pays} = \$980.00 \text{ weekly average} \times 4.3 = \$4,214.00$ . (Exhibit 2: Federal SNAP-Income Test, Exhibit 3: Notice of Action, and Department Representative's Testimony)
6. The Department determined the standard deduction as \$193.00 per month for a household of four under the SNAP. (Exhibit 2: Federal SNAP – Income Test)
7. The Appellant received an earned income deduction equal to \$842.80.  $\$4,214.00 \text{ gross monthly income} \times 20\% \text{ Earned Income Deduction} = \$842.80$ . (Exhibit 2: Federal SNAP – Income Test)
8. The Appellant pays a mortgage of \$1,742.00 per month which includes property tax and homeowner insurance costs. (Appellant's Testimony)
9. The Appellant received the standard utility allowance ("SUA") of \$921.00. (Exhibit 2: Federal SNAP – Income Test and Department Representative Testimony)

10. The Department determined the Appellant's total shelter costs as \$2,622.00 and the SNAP shelter deduction as \$624.00. The Department allowed a mortgage cost of \$1,701.00 under the shelter calculation rather than \$1,742.00. \$1,701.00 mortgage + \$921.00 SUA = \$2,622.00 total shelter costs. (Exhibit 2: Federal SNAP - Income Test and Department Representative Testimony)
11. Beginning [REDACTED] 2023, the Department determined the Appellant's monthly SNAP allotment as \$172.00. (Exhibit 2: Federal SNAP – Income Test and Exhibit 3: Notice of Action)
12. The Appellant seeks an increase in SNAP benefits due to rising household costs and a loss of wages. She struggles to meet her monthly household expenses which include but not limited to her mortgage, utility costs, car loan, fuel, and food bills for her family of four. (Appellant's Testimony)

### **CONCLUSIONS OF LAW**

1. Section 17b-2(7) of the Connecticut General Statute 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.
2. Title 7 Section 273.1(b)(1)(ii) of the Code of Federal Regulations ("C.F.R.") provides as follows:

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. 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 a household of four, the Appellant and her three minor children.**

3. Federal regulation provides in pertinent part as follows:

Monthly reporting households are required to report as provided in [§ 273.21](#). Quarterly reporting households are subject to the procedures as provided in [paragraph \(a\)\(4\)](#) of this section. Simplified reporting households are subject to the procedures as provided in [paragraph \(a\)\(5\)](#) of this section.

7 C.F.R. § 273.12(a)(1)

Federal regulation provides as follows:

State agency may establish a simplified reporting system in lieu of the change reporting requirements specified under [paragraph \(a\)\(1\)](#) of this section. The following requirements are applicable to simplified reporting systems: The State agency may include any household certified for at least 4 months within a simplified reporting system.

7 C.F.R. § 273.12(a)(5)(i)

**The Department correctly determined the Appellant subject to simplified reporting under the SNAP.**

4. Federal regulation provides as follows:

*Reporting when gross income exceeds 130 percent of poverty.* A household subject to simplified reporting in accordance with [paragraph \(a\)\(5\)\(i\)](#) of this section, whether or not it is required to submit a periodic report, must report when its monthly gross income exceeds the monthly gross income limit for its household size, as defined at [§ 273.9\(a\)\(1\)](#). The household shall use the monthly gross income limit for the household size that existed at the time of its most recent certification or recertification, regardless of any subsequent changes in its household size.

7 C.F.R. § 273.12(a)(5)(v)

“The gross income eligibility standards for SNAP shall be as follows: The income eligibility standards for the 48 contiguous States and the District of Columbia, Guam and the Virgin Islands shall be 130 percent of the Federal income poverty levels for the 48 contiguous States and the District of Columbia.” 7 C.F.R. § 273.9(a)(1)(i)

The Department of Health and Human Services lists the annual 2022 Poverty Guidelines for the 48 Contiguous States and the District of Columbia as \$27,750.00 for a household of four. [Federal Register, Vol. 87, No, 14, January 21, 2022/Notices, p 3316]

**\$27,750.00 Annual Poverty Guideline / 12 months = \$2,312.50 monthly poverty guideline x 130% = \$3,006.25 130% of FPL**

The United States Department of Agriculture Food and Nutrition Services provides as follows:

For the period October 1, 2022 through September 30, 2023, the Gross Monthly Income Eligibility Standard (130 Percent of Poverty Level) for a

household of four equals \$3,007.00. [United States Department of Agriculture, Food and Nutrition Service, Fiscal Year (FY) 2023 Cost-of-Living Adjustments, August 9, 2022]

**On [REDACTED] [REDACTED] 2022, the Appellant properly reported to the Department her monthly gross earnings of \$4,214.00 exceeded the SNAP gross income limit of \$3,007.00 for a family of four or 130% of the Federal Poverty Level (“FPL”) under simplified reporting.**

5. Federal regulation provides in pertinent part as follows:

*State agency action on changes reported outside of a periodic report.* The State agency must act when the household reports that its gross monthly income exceeds the gross monthly income limit for its household size.

7 C.F.R. § 273.12(a)(5)(vi)

Federal regulation provides as follows:

The periodic report form shall be the sole reporting requirement for any information that is required to be reported on the form, except that a household required to report less frequently than quarterly shall report when its monthly gross income exceeds the monthly gross income limit for its household size in accordance with paragraph (a)(5)(v) of this section.

7 C.F.R. § 273.12(a)(5)(iii)(G)(1)

Federal regulation provides in pertinent part:

*State agency action on changes.* The State agency shall take prompt action on all changes to determine if the change affects the household's eligibility or allotment. However, the State agency has the option to disregard a reported change to an established deduction in accordance with [paragraph \(c\)\(4\)](#) of this section. If a household reports a change in income, and the new circumstance is expected to continue for at least one month beyond the month in which the change is reported, the State agency may act on the change in accordance with [paragraphs \(c\)\(1\)](#) and [\(c\)\(2\)](#) of this section.

7 C.F.R. § 273.12(c)

**On [REDACTED] [REDACTED] 2022, the Department correctly took action to recalculate the Appellant’s benefits when the Appellant reported a change in earnings which exceeded the SNAP gross income limit of \$3,007.00, 130% of the FPL.**

6. "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)

"Earned income shall include: (i) All wages and salaries of an employee."  
7 C.F.R. § 273.9(b)(1)(i)

Federal regulation provides as follows:

Income received during the past 30 days shall be used as an indicator of the income that is and will be available to the household during the certification period. However, the State agency shall not use past income as an indicator of income anticipated for the certification period if changes in income have occurred or can be anticipated. If income fluctuates to the extent that a 30-day period alone cannot provide an accurate indication of anticipated income, the State agency and the household may use a longer period of past time if it will provide a more accurate indication of anticipated fluctuations in future income. Similarly, if the household's income fluctuates seasonally, it may be appropriate to use the most recent season comparable to the certification period, rather than the last 30 days, as one indicator of anticipated income. The State agency shall exercise particular caution in using income from a past season as an indicator of income for the certification period. In many cases of seasonally fluctuating income, the income also fluctuates from one season in one year to the same season in the next year. However, in no event shall the State agency automatically attribute to the household the amounts of any past income. The State agency shall not use past income as an indicator of anticipated income when changes in income have occurred or can be anticipated during the certification period.

7 C.F.R. § 273.10(c)(1)(ii)

**The Department correctly determined the Appellant's wages from the employer as countable household income under SNAP.**

7. Federal regulation provides as follows:

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.

7 C.F.R. § 273.10(c)(2)(i)

**The Department correctly determined the Appellant's monthly gross wages as \$4,214.00.**

**\$1,960.00 biweekly gross wages / 2 weeks = \$980.00 weekly average  
x 4.3 = \$4,214.00**

8. "Deductible expenses include only certain dependent care, shelter, medical and, at State agency option, child support costs as described in § 273.9." 7 C.F.R. § 273.10(d)

Federal regulation provides as follows:

Deductions shall be allowed only for the following household expenses:

Notwithstanding paragraphs (d)(1)(i) and (d)(1)(ii) of this section, the standard deduction for FY 2009 for each household in the 48 States and the District of Columbia, Alaska, Hawaii, Guam and the U.S. Virgin Islands shall not be less than \$144, \$246, \$203, \$289, and \$127, respectively. Beginning FY 2010 and each fiscal year thereafter, the amount of the minimum standard deduction is equal to the unrounded amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.

7 C.F.R. § 273.9(d)(1)(iii)

United States Department of Agriculture Food and Nutrition Services provides as follows:

Effective October 1, 2022 through September 30, 2023 the standard deduction for the 48 States & District of Columbia for a household of 4 is \$193.00. [United States Department of Agriculture, Food and Nutrition Service, Fiscal Year (FY) 2023 Cost-of-Living Adjustments, August 9, 2022]

Federal regulation provides as follows:

*Earned income deduction.* Twenty percent of gross earned income as defined in paragraph (b)(1) of this section. Earnings excluded in paragraph (c) of this section shall not be included in gross earned income for purposes of computing the earned income deduction, except that the

State agency must count any earnings used to pay child support that were excluded from the household's income in accordance with the child support exclusion in paragraph (c)(17) of this section.

7 C.F.R. § 273.9(d)(2)

Federal regulation provides as follows:

*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.
- C. 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.
- D. The shelter costs for the home if temporarily not occupied by the household because of employment or training away from home, illness, or abandonment caused by a natural disaster or casualty loss.



For costs of a home vacated by the household to be included in the household's shelter costs, the household must intend to return to the home; the current occupants of the home, if any, must not be claiming the shelter costs for SNAP purposes; and the home must not be leased or rented during the absence of the household.

- E. Charges for the repair of the home which was substantially damaged or destroyed due to a natural disaster such as a fire or flood. Shelter costs shall not include charges for repair of the home that have been or will be reimbursed by private or public relief agencies, insurance companies, or from any other source.

7 C.F.R. § 273.9(d)(6)(ii)

United States Department of Agriculture Food and Nutrition Services provides as follows:

For the period October 1, 2022 through September 30, 2023, the maximum shelter deduction for the 48 States and DC equals \$624.00. [United States Department of Agriculture, Food and Nutrition Service, Memorandum SNAP – Fiscal Year 2023 Cost-of-Living Adjustments, August 9, 2022]

Federal regulation provides as follows:

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..

7 C.F.R. § 273.9(d)(6)(iii)(A)

Federal regulation provides as follows:

At initial certification, recertification, and when a household moves, the household may choose between a standard or verified actual utility costs for any allowable expense identified in [paragraph \(d\)\(6\)\(ii\)\(C\)](#) of this section (except the telephone standard), unless the State agency has opted, with FNS approval, to mandate use of a standard. The State agency may require use of the telephone standard for the cost of basic telephone service even if actual costs are higher. Households certified for 24 months may also choose to switch between a standard and actual costs at the time of the mandatory interim contact required by [§ 273.10\(f\)\(1\)\(i\)](#), if the State agency has not mandated use of the standard.

7 C.F.R. § 273.9(d)(6)(iii)(D)

**The Department correctly determined the standard disregard as \$193.00 for a household of four.**

**The Department correctly determined the earned income deduction as \$842.80. \$4,214.00 gross earnings x 20% = \$842.80 earned income deduction.**

**The Department correctly determined the Appellant's shelter costs as \$2,622.00 per month which included the SUA. \$1,701.00 mortgage + \$921.00 SUA = \$2,622.00.<sup>1</sup>**

9. Federal regulation provides the following:

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.

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<sup>1</sup> Because the Appellant receives the maximum shelter hardship of \$624.00 with a mortgage value of \$1,701.00, the increase in her mortgage to \$1,742.00 has no impact on the SNAP calculation.

- 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.

7 C.F.R. § 273.10(e)(1)(i)

“In calculating net monthly income, the State agency shall use one of the following two procedures: Round down each income and allotment calculation that ends in 1 through 49 cents and round up each calculation that ends in 50 through 99 cents.” 7 C.F.R. § 273.10(e)(1)(ii)(A)

Federal regulation provides as follows:

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: the state agency shall round the 30 percent of net income up to the nearest higher dollar.

7 C.F.R. § 273.10(e)(2)(ii)(A)(1)

10. Federal regulation provides for the Thrifty Food Plan (TFP) and Maximum SNAP Allotments:

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](http://www.fns.usda.gov/fsp).

7 CFR § 273.10(e)(4)(i)

United States Department of Agriculture Food and Nutrition Services provides as follows:

Effective October 1, 2022 through September 30, 2023 the maximum monthly SNAP allotment for the 48 States & District of Columbia for a household four equals \$939.00. [United States Department of Agriculture, Food and Nutrition Services, Memorandum SNAP – Fiscal Year 2023 Cost-of-Living Adjustments, August 9, 2022]

11. Federal regulation provides as follows:

If the household's benefit level decreases or the household becomes ineligible as a result of the change, the State agency shall issue a notice of adverse action within 10 days of the date the change was reported unless one of the exemptions to the notice of adverse action in § 273.13 (a)(3) or (b) applies. When a notice of adverse action is used, the decrease in the benefit level shall be made effective no later than the allotment for the month following the month in which the notice of adverse action period has expired, provided a fair hearing and continuation of benefits have not been requested. When a notice of adverse action is not used due to one of the exemptions in § 273.13 (a)(3) or (b), the decrease shall be made effective no later than the month following the change. Verification which is required by [§ 273.2\(f\)](#) must be obtained prior to recertification.

7 C.F.R. § 273.12(c)(2)(i)

On [REDACTED] [REDACTED] 2022, the Department correctly determined the Appellant's SNAP benefit \$172.00 beginning [REDACTED] [REDACTED] 2023 and issued the Appellant a Notice of Action informing her of the decrease in benefits.

<b>INCOME</b>	
Total Earned Income	\$4,214.00
Total Household Income	\$4,214.00
Less Earned Income disregard	-\$842.80
Less standard deduction	-\$193.00
Adjusted gross income	\$3,178.20
<b><u>SHELTER COSTS</u></b>	
Mortgage	1,701.00
SUA	+\$921.00
Total shelter costs	\$2,622.00
<b><u>SHELTER HARDSHIP</u></b>	
Shelter costs	\$2,622.00
Less 50% of adjusted gross income	<u>-\$1,589.10</u>
Calculated shelter hardship	\$1,032.90
Maximum shelter hardship	\$624.00
<b><u>ADJUSTED NET INCOME</u></b>	
Adjusted gross income	\$3,178.20
Less shelter hardship	<u>-\$624.00</u>
Net Adjusted Income (NAI)	\$2,554.20
<b><u>BENEFIT CALCULATION</u></b>	
Thrifty Food Plan for 4 Person/s	\$939.00
Less 30% of NAI (2,554.20 x .3 = \$766.26)	<u>-\$767.00</u>
SNAP award	\$172.00

**DECISION**

The Appellant's appeal is denied.

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Lisa A. Nyren  
Fair Hearing Officer

CC: Josephine Savastra, SSOM, DSS RO #10  
Lindsey Collins, SSOM, DSS RO #10  
Wilfredo Medina, FHL Supervisor, DSS RO #10  
Garfield White, FHL, DSS RO #10

### **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: Department of Social Services, Director, Office of Administrative Hearings and Appeals, 55 Farmington Avenue Hartford, CT 06105.

### **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, provided that 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 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.