

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 # ██████████

NOTICE OF DECISION

PARTY

██████████
██████████
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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 granted in the amount of \$35.00 for the month of ██████████ 2022, and \$462.00 for ██████████ 2022 and ongoing. On ██████████ 2022, the Department sent a second NOA to the Appellant advising her that her SNAP benefits would be discontinued effective ██████████, 2022, because her household’s income exceeds the net income limit.

On ██████████ 2023, the Appellant requested an administrative hearing because she disagrees with the closure of her SNAP benefit.

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 participated in the hearing:

██████████ Appellant
Shannon Shlash, Department’s Representative
Kristin Haggan, Fair Hearing Officer

STATEMENT OF THE ISSUE

The issue is whether the Department correctly discontinued the Appellant's SNAP benefit effective [REDACTED], 2022, because her household's income exceeds the net income limit.

FINDINGS OF FACT

1. The Appellant is [REDACTED] years old ([REDACTED]). (*Hearing Record*)
2. On [REDACTED] 2022, the Appellant submitted a W1E application for SNAP assistance for herself. She did not list a spouse on the application. (*Exhibit 1: W1E application, [REDACTED]/22*)
3. On [REDACTED] 2022, the Department processed the Appellant's application. The Appellant listed [REDACTED] on her application as the owner of her property. The Department completed a phone interview with the Appellant, and she clarified that [REDACTED] is her spouse and they live together. The Appellant reported Social Security Disability Income (SSDI) for herself, she did not report any income for her spouse. The Department added [REDACTED] (the "Appellant's spouse") to the Appellant's pending SNAP application and requested that she provide proof of their immigration statuses. (*Exhibit 3: Impact Case Note, [REDACTED]/22*)
4. On [REDACTED] 2022, the Department reviewed permanent residency documents that the Appellant submitted for herself and her spouse and updated their application with their immigration statuses. The Department granted a SNAP benefit for a household of two members in the amount of \$35.00 for [REDACTED] 2022, and \$462.00 per month for [REDACTED] ongoing. (*Hearing Summary, Exhibit 4: Impact Case Note, [REDACTED]/22*)
5. The Appellant received an SSDI benefit of \$1,243.10 per month through [REDACTED] 2022. Her SSDI increased to \$1,350.90 effective [REDACTED] 2023. (*Hearing Record, Appellant's Testimony, Exhibit 13: Impact Income Details*)
6. The Appellant's spouse received a Social Security retirement ("SSA") benefit of \$1,924.10 per month through [REDACTED] 2022. His SSA benefit increased to \$2,091.90 effective [REDACTED] 2023. (*Hearing Record, Appellant's Testimony, Exhibit: 13*)
7. On [REDACTED] 2022, the Department's eligibility system automatically updated with the Appellant's spouse's SSA income. The Department issued an NOA to the Appellant informing her that it was discontinuing her SNAP benefits effective [REDACTED] 2022, because the household's income exceeded the net income limit. (*Hearing Summary, Exhibit 6: NOA, [REDACTED]/22*).

8. At the time of application, the Appellant's monthly mortgage was \$0, property taxes were \$4,000.00 per year (\$333.33 per month), and her homeowner's insurance was \$142.00 per month. (*Exhibit 3, Appellant's Testimony*)
9. During the hearing, the Appellant reported her property taxes have increased to \$2,084.50 every six months (\$347.42 per month) and her homeowner's insurance has increased to \$158.00 per month. (*Appellant's Testimony*)
10. The Appellant is responsible for her heating costs. (*Appellant's Testimony*)
11. The Appellant and her spouse both pay a monthly Medicare Part B premium of \$170.10, which was verified per the Department's computer system. Neither the Appellant nor her spouse is active on the Medicare Savings Program. (*Appellant's Testimony, Department's Testimony*)
12. The Department considered the Appellant's Medicare Part B premium as a medical expense deduction when calculating her SNAP benefit. (*Exhibit: 13*)
13. During the hearing, the Appellant reported that she has other out-of-pocket medical expenses. She did not previously report or provide verification of these expenses to the Department. (*Appellant's testimony, Department's Testimony*)
14. 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] 2023. OLCRAH held an administrative hearing on [REDACTED] 2023. 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. § 273.1(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 spouse.

3. 7 C.F.R. § 273.12(c)(2) provides for changes that result in a decrease of benefits.

(i) 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.

The Department correctly considered the Appellant's spouse's income in the calculation of her SNAP benefit when the Department discovered and verified the income on [REDACTED], 2022.

The Department correctly updated the Appellant's SNAP benefit on [REDACTED], 2022 and issued a notice of adverse action informing her that it would discontinue her SNAP benefit effective [REDACTED], 2022.

4. 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 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.

5. 7 C.F.R. § 273.2(j)(2) provides for categorically eligible PA and SSI households.

(i) The following households are categorically eligible for SNAP benefits unless the entire household is institutionalized as defined in § 273.1(e) or disqualified for any reason from receiving SNAP benefits.

(A) Any household (except those listed in paragraph (j)(2)(vii) of this section) in which all members receive or are authorized to receive cash through a PA program funded in full or in part with Federal money under Title IV-A or with State money counted for maintenance of effort (MOE) purposes under Title IV-A;

(B) 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 benefits or services from a program that is more 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 forward purposes one and two of the TANF block grant, as set forth in Section 401 of P.L. 104-193.

(C) 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 benefits or services from a program that is more 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 three and four of the TANF block grant, as set forth in Section 401 of P.L. 104-193, and requires participants to have a gross monthly income at or below 200 percent of the Federal poverty level.

(D) Any household in which all members receive or are authorized to receive SSI benefits, except that residents of public institutions who apply jointly for SSI and SNAP benefits prior to their release from the institution in accordance with § 273.11(i), are not categorically eligible upon a finding by SSA of potential SSI eligibility prior to such release. The State agency must consider the individuals categorically eligible at such time as SSA makes a final SSI eligibility and the institution has released the individual.

(E) Any household in which all members receive or are authorized to receive PA and/or SSI benefits in accordance with paragraphs (j)(2)(i)(A) through (j)(2)(i)(D) of this section.

The Appellant's household does not meet any of the criteria above to be categorically eligible for SNAP benefits.

7 C.F.R. § 273.2(j)(2)(ii) provides that 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 and Nutrition Act of 2008:

(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.

(B) Subject to FNS approval, 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 three and four of the TANF block grant, as set forth in Section 401 of P.L. 104-193, and requires participants to have a gross monthly income at or below 200 percent of the Federal poverty level.

The State of CT is currently approved for expanded categorical eligibility at 200% of the Federal poverty level ("FPL").

The Department correctly determined that the Appellant's total monthly gross income of \$3,167.20 exceeds 200% of the FPL for a household of two people, or \$3,052.00. The Appellant's household is not categorically eligible for SNAP benefits.

The Department correctly determined that the Appellant's household contains elderly and disabled individuals and is not categorically eligible for SNAP

benefits; therefore, the household is subject to the net income eligibility standard.

6. 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 Appellant's SSDI income of \$1,243.10, and her spouse's SSA income of \$1,924.10, as unearned income in the calculation of the Appellant's household's SNAP benefits for the month of [REDACTED] 2022.

The Department correctly calculated the Appellant's household's total gross income of \$3,167.20 (\$1243.10 + \$1924.10) for the month of [REDACTED] 2022.

7. 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's household is eligible for the standard deduction, which is \$193.00 for a household of two members, effective October 1, 2022.

8. 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's household is entitled to the Standard Utility Allowance ("SUA"), which is \$921.00, effective October 1, 2022.

9. 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's household is not subject to the shelter hardship cap of \$624.00 because there are elderly and disabled members in the home.

The Department correctly calculated the Appellant's monthly shelter expenses of \$475.33 (\$333.33 property taxes plus \$142.00 homeowner's insurance) based on the information reported at the time of her application.

The Department correctly calculated the Appellant's total shelter cost as \$1,396.33 (\$475.33 property taxes and homeowner's insurance plus \$921.00 SUA), based on the information reported at the time of her application.

- 10.7 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 considered the Appellant's monthly Medicare Part B premium of \$170.10 to be an out-of-pocket medical expense, and correctly determined the household's excess medical deduction to be \$135.10 (\$170.10 minus \$35.00).

The Department correctly determined the household's adjusted gross income of \$2,839.10 (\$3167.20 minus \$193.00 standard deduction and minus \$135.10 excess medical deduction) for the month of [REDACTED] 2022.

The Department correctly determined that the Appellant's excess shelter costs are \$0, for the month of ██████████ 2022 (\$1396.33 total shelter costs minus \$1419.55 fifty percent of adjusted gross income).

The Department correctly determined the Appellant's net adjusted income is \$2,839.10 for the month of ██████████ 2022.

11.7 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 \$852.00 (\$2839.10 x 30%) for the month of ██████████ 2022.

12.7 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 October 1, 2022, through September 30, 2023, is \$516.00.

13. The Appellant's SNAP benefit for the month of ██████████ 2022 was calculated correctly as follows:

SNAP BENEFIT CALCULATION

INCOME	
Total Unearned Income (SSA and SSDI)	\$3167.20
Less standard deduction and excess medical	-\$193.00

deduction	<u>-\$135.10</u>
Adjusted gross income	\$2839.10
<u>SHELTER COSTS</u>	
(Property Tax and Homeowners Insurance)	\$475.33
SUA	<u>+\$921.00</u>
Total shelter costs	\$1396.33
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$1396.33
Less 50% of adjusted gross income	<u>-\$1419.55</u>
Total shelter hardship	\$0.00
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	\$2839.10
Less shelter hardship	<u>-\$0.00</u>
Net Adjusted Income (NAI)	\$2839.10
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for two	\$516.00
Less 30% of NAI (rounded up to nearest dollar)	<u>-\$852.00</u>
SNAP award	\$0.00

The Department correctly determined that the Appellant is not entitled to a SNAP benefit for the month of ██████████ 2022, and correctly discontinued the Appellant's SNAP benefit effective ██████████, 2022.

DISCUSSION

The Department did not count the Appellant's spouse's Medicare Part B premium of \$170.10 as an out-of-pocket medical expense because the Appellant did not report her spouse's SSA income, or any medical expenses for her spouse, at the time of her application. Had the Appellant's spouse's Medicare Part B premium medical expense been counted, the household still would have exceeded the net income limit.

Based on the information that the Appellant provided to the Department as of the date her spouse's income was verified and updated on [REDACTED] 2022, the Department correctly terminated the Appellant's SNAP benefit effective [REDACTED] 2022.

DECISION

The Appellant's appeal is **DENIED**.

Kristin Haggan

Kristin Haggan
Fair Hearing Officer

CC: Sarah Chmielecki, SSOM, DSS, New Haven Regional Office
Tim Latifi, SSOM, DSS, New Haven Regional Office
Ralph Filek, SSOM, DSS, New Haven Regional Office
Shannon Shlash, Fair Hearing Liaison, DSS, New Haven Regional Office

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.