

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

██████████  
██████████  
Request 218702

**NOTICE OF DECISION**

**PARTY**

██████████  
██████████  
██████████

**PROCEDURAL BACKGROUND**

On ██████████ 2023, the Office of Legal Counsel, Regulations, and Administrative Hearings (“OLCRAH”) received a request for an Administrative Disqualification Hearing (“ADH”) seeking the disqualification of ██████████ (the “Defendant”) from participation in the Supplemental Nutrition Assistance Program (“SNAP”) for ██████████ (██████) months from the Department of Social Services (“Department”) Investigations and Recoveries Division (“Investigations Unit”). The Department alleges that the Defendant committed an Intentional Program Violation (“IPV”) by trafficking (exchange of benefits/misuse of an EBT card) under the SNAP. The Department also seeks to recover SNAP benefits in the amount of \$251.77 for the transactions made on ██████████ 2023, and ██████████ 2023.

On ██████████ 2023, the Office of Legal Counsel, Regulations and Administrative Hearings (“OLCRAH”) mailed the Defendant a Notice of Administrative Hearing (“NoAH”) via United States Postal Service (“USPS”) certified mail to the residential address of ██████████ ██████████ informing the Defendant that the Department scheduled of an Administrative Disqualification Hearing for ██████████ 2023. The NoAH included notification of the Defendant’s rights in these proceedings, the Department’s hearing summary, and evidence supporting the Department’s case against the Defendant.

On ██████████ 2023, the delivery status for the ADH packet sent via certified mail was reflected as, “Delivery Attempt: Action Needed. Notice Left (No Authorized Representative Available).”

On [REDACTED] 2023, the delivery status for the ADH packet sent via certified mail was rechecked and reflected as, "Delivery Attempt: Action Needed. Reminder to Schedule Re-delivery of your item before [REDACTED] 2023."

On [REDACTED] 2023, the OLCRAH mailed the Defendant a Notice Regarding Non-Receipt of the Administrative Disqualification Hearing Notice, a copy of the NoAH, and the complete ADH packet including the notification of her rights in these proceedings, the Department's hearing summary, and the evidence to support the Department's case by first class mail.

On [REDACTED] 2023, the delivery status for the ADH packet sent via certified mail was reflected as, "Alert: Unclaimed / Being Returned to Sender".

On [REDACTED] 2023, the Defendant appeared in person at the Department's [REDACTED] Regional office and provided testimony confirming receipt of the NoAH and the ADH packet sent via first class mail.

On [REDACTED] 2023, OLCRAH conducted the ADH in accordance with section 17b-88 of the Connecticut General Statutes and Title 7 of the Code of Federal Regulations section 273.16 subsection (e).

### **PRESENT AT THE HEARING**

[REDACTED]  
Sally Stanley, Department Representative  
Jessica Gulianello, Hearing Officer

The hearing record remained open until [REDACTED] 2023, to allow the Department time to submit additional information. Additional documents were received from the Department and the hearing record was closed accordingly.

### **STATEMENT OF THE ISSUE**

The issue to be decided is whether the Defendant committed an intentional program violation ("IPV") of the SNAP and is subject to a [REDACTED] ([REDACTED]) month disqualification penalty under the SNAP.

The secondary issue to be decided is whether the Department's proposal for recoupment of a SNAP overpayment ("OP") in the amount of \$117.94, for an alleged program violation of trafficking (exchange of benefits / misuse of an EBT card) for transactions made on [REDACTED] 2023, and [REDACTED] 2023, is correct.

## FINDINGS OF FACT

1. On [REDACTED] 2022, the Defendant (DOB [REDACTED]) submitted an online application (“ONAP”) to the Department requesting benefits under the SNAP for herself only. (*Exhibit 16: ONAP, [REDACTED] 2022*)

2. The above-noted ONAP included the Defendant’s electronic signature that acknowledged she had received, reviewed, and agreed to the Rights and Responsibilities under the SNAP including but not limited to the following responsibilities:

“If I break any of the rules on purpose I can be barred from SNAP from between one year and permanently, fined up to \$250,000, and/or imprisoned up to 20 years. I may also be subject to prosecution under any other applicable federal and state laws, and I may also be barred from SNAP for an additional 18 months if court ordered.”

“I am not allowed to use, or have in my possession, an EBT card that is not mine (unless I am an authorized SNAP shopper) and may not let others use my card (unless they are an authorized SNAP shopper).”

“If I intentionally misuse an Electronic Benefit Transfer (EBT) card, I may no longer get SNAP. I may also be fined up to \$250,000 or sent to jail for up to 20 years or both. Misuse of an EBT card means altering, selling, or trading a card, using someone else’s card without permission, or exchanging benefits.”

*(Exhibit 9: W-0016RR: State of Connecticut Rights and Responsibilities, Department’s Testimony, Defendant’s Testimony)*

3. On [REDACTED] 2022, the Department determined the Defendant to be eligible for benefits under the SNAP as an Eligibility Determination Group (“EDG”) size comprised of one individual for the certification cycle beginning [REDACTED] 2022, through [REDACTED] 2023, in the prorated amount of \$208.00 for [REDACTED] and \$281.00 for each ongoing month. (*Exhibit 17: NOA dated [REDACTED] 2022*)

4. On or about [REDACTED] 2022, [REDACTED] (the “Defendant’s mother”) age [REDACTED] (DOB: [REDACTED]) submitted a Renewal of Eligibility (“W-1ER”) form to the Department requesting continued benefits under the SNAP for herself only. (*Exhibit 10: W-1ER, signed [REDACTED] 2022*)

5. The Defendant’s mother did not appoint an Authorized Representative and/or Authorized SNAP shopper. (*Exhibit 10: W-1ER signed [REDACTED] 2022, Exhibit 12: ImpaCT AREP – Summary, Department’s Testimony, Defendant’s Testimony*)

6. On [REDACTED] 2022, the Department determined the Defendant’s mother to be eligible for continued benefits under the SNAP as an EDG size comprised of one

individual for the certification cycle beginning [REDACTED] 2022, through [REDACTED] 2025, in the amount of \$281.00 per month. (Exhibit 11: NOA dated [REDACTED] 2022)

7. On [REDACTED] 2023, the Defendant's mother passed away. (Exhibit 2: [REDACTED] Results, Hearing Record)
8. On or about [REDACTED] 2023, the Department received an alert concerning the Defendant's mother's date of death. (Exhibit 15: Case Notes – Details, [REDACTED] 2023)
9. On [REDACTED] 2023, a worker in the Resources and Recovery unit of the Department reviewed the alert, discontinued the Defendant's mother's benefits under the SNAP effective [REDACTED] 2023, expunged the unused balance of \$25.86, and submitted an electronic referral to the Investigations unit of the Department alleging that the Defendant conducted an IPV under the SNAP and theft by using her mother's EBT card after her date of death. (Exhibit 1: ImpaCT Referral dated [REDACTED] 2023, Exhibit 11: NOA dated [REDACTED] 2023, Exhibit 15: Case notes – Details dated [REDACTED] 2023, Department's Testimony)
10. The above-noted referral was assigned to Sally Stanley, (Department's "Investigator"). (Exhibit 1: ImpaCT Referral dated [REDACTED] 2023, Hearing Record)
11. On [REDACTED] 2023, the assigned Investigator reviewed the Transaction History for the Defendant's mother and verified that a VRU Balance Inquiry was conducted on [REDACTED] 2023, at [REDACTED] via the contact number [REDACTED]. The Investigator positively matched the contact number associated with VRU Balance Inquiry to the Defendant. (Exhibit 3: EPPIC Recipient Transaction History Defendant's mother, Exhibit 16: ONAP dated [REDACTED] 2022, Hearing Summary, Department's Testimony)
12. On [REDACTED] 2023, the Investigator determined the Defendant's mother's EBT card was used for transactions totaling \$251.77 that occurred on [REDACTED] 2023, and [REDACTED] 2023 (after her expiration) as follows:

Date	Merchant/Transaction	Transaction Amount:
[REDACTED] 2023	[REDACTED]	\$178.49
[REDACTED] 2023	[REDACTED]	\$34.62
[REDACTED] 2023	[REDACTED]	\$38.66

(Exhibit 3: EPPIC Recipient Transaction History, Department's Testimony)

13. On [REDACTED] 2023, the Investigator issued the Defendant a Notice of Prehearing Interview ("W-1448") scheduling an appointment for [REDACTED] 2023, at [REDACTED] [REDACTED] to discuss the SNAP overpayment. The notice alleged that the Defendant broke the SNAP rules on purpose and stated, "There is an overpayment related to

this situation. You received \$251.77 more than you should have in Food Stamp benefits. This happened because you used SNAP benefits issued to another person.” The Department also issued a Waiver of Disqualification Hearing (“W-1449”) notice advising the Defendant of the Department’s proposal to disqualify her from the SNAP and the Administrative Disqualification Hearing Process (W-1447). (*Exhibit 4: Form # W-1448, Exhibit 5: Form # W-1449, Exhibit 6: Form # W-1447, Hearing Summary, Department’s Testimony*)

14. On ██████████ 2023, the Defendant appeared for the prehearing interview and verbally admitted to using the EBT card that belonged to her mother on the dates in question. The Defendant signed the W-1449 Waiver form. The Defendant selected “option c” under question 8 on the form acknowledging, “I have read this notice and wish to exercise my right to have an administrative hearing”. (*Exhibit 5: W-1449, signed & dated ██████████ 2023, Hearing Record*)
15. The Defendant acknowledged that the Department informed her of her responsibilities under the SNAP at the time of the application for benefits. (*Defendant’s Testimony*)
16. The Defendant acknowledged that she used her mother’s EBT card after her mother had passed for the transactions in question; specifically, on ██████████ 2023, and ██████████ 2023, totaling \$251.77 without authorization. (*Defendant’s Testimony*)
17. The Department seeks to disqualify the Defendant from participation in the SNAP for a period of twelve (12) months due to an IPV alleging that the Defendant committed an IPV by trafficking (exchange of benefits/misuse of an EBT card ) under the SNAP in the amount of \$251.77. This would be the Defendant’s first IPV disqualification under the SNAP in the U.S. (*Exhibit 8: Electronic Disqualification Recipient System (“eDRS”) dated ██████████ 2023, Department’s Testimony*)
18. The Defendant’s case has not been referred to the state police, a prosecuting attorney, or the Attorney General for recovery in the court system. (*Department’s Testimony*)
19. The issuance of this decision is timely under Title 7 Section 273.16(e)(2)(iv) of the Code of Federal Regulations, which requires that a decision be issued within 90 days of the notice of the initiation of the ADH process. On ██████████ 2023, the Defendant exercised her right to an administrative hearing. On ██████████ 2023, the OLCRAH mailed the Defendant the ADH packet by certified mail. On ██████████ 2023, the OLCRAH resent the Defendant the ADH packet by first class mail, and the Defendant provided testimony confirming receipt. Thus, this decision is due no later than ██████████ 2023, and is therefore timely. (*Hearing Record*)

## **CONCLUSIONS OF LAW**

1. Section 17b-2(a)(7) of the 2018 Supplement to 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 administer the SNAP.**

2. Section 17b-88 of the Connecticut General Statutes provides that if a beneficiary of assistance under the state supplement program, medical assistance program, aid to families with dependent children program, temporary family assistance program, state-administered general assistance program, food stamp program or supplemental nutrition assistance program receives any award or grant over the amount to which he is entitled under the laws governing eligibility, the Department of Social Services (1) shall immediately initiate recoupment action and shall consult with the Division of Criminal Justice to determine whether to refer such overpayment, with full supporting information, to the state police, to a prosecuting authority for prosecution or to the Attorney General for civil recovery, or (2) shall take such other action as conforms to federal regulations, including, but not limited to, conducting administrative disqualification hearings for cases involving alleged fraud in the food stamp program, supplemental nutrition assistance program, the aid to families with dependent children program, the temporary family assistance program or the state-administered general assistance program.

Title 7 C.F.R. § 273.16 (e) provides that the State agency shall conduct administrative disqualification hearings for individuals accused of an Intentional Program Violation (“IPV”).

### **The Department has the authority to conduct Administrative Disqualification Hearings.**

3. 7 C.F.R. § 273.16 (e)(3) provides for the advance notice of the hearing.
  - (i) The State agency shall provide written notice to the individual suspected of committing an intentional Program violation at least 30 days in advance of the date a disqualification hearing initiated by the State agency has been scheduled. If mailed, the notice shall be sent either first class mail or certified mail return receipt requested. The notice may also be provided by any other reliable method. If the notice is sent using first-class mail and is returned as undeliverable, the hearing may still be held.
  - (ii) If no proof of receipt is obtained, a timely (as defined in paragraph (e) (4) of this section) showing of nonreceipt by the individual due to circumstances specified by the State agency shall be considered good cause for not appearing at the hearing. Each state agency shall establish the circumstances in which non-receipt

constitutes good cause for failure to appear. Such circumstances shall be consistent throughout the State agency.

(iii) The notice shall contain at a minimum: (A) The date, time, and place of the hearing; (B) The charge(s) against the individual; (C) A summary of the evidence, and how and where the evidence can be examined; (D) A warning that the decision will be based solely on the information provided by the State agency if the individual fails to appear at the hearing.

7 C.F.R. § 273.16(e)(4) provides for the scheduling of the hearing. The time and place of the hearing shall be arranged so that the hearing is accessible to the household member suspected of intentional Program violation. If the household member or its representative cannot be located or fails to appear at a hearing initiated by the State agency without good cause, the hearing shall be conducted without the household member being represented. Even though the household member is not represented, the hearing officer is required to carefully consider the evidence and determine if an intentional Program violation was committed based on clear and convincing evidence. If the household member is found to have committed an Intentional Program violation but a hearing official later determines that the household member or representative had good cause for not appearing, the previous decision shall no longer remain valid, and the State agency shall conduct a new hearing. The hearing officer who originally ruled on the case may conduct the new hearing. In instances where good cause for failure to appear is based upon a showing of nonreceipt of the hearing notice as specified in paragraph (e)(3)(ii) of this section, the household member has 30 days after the date of the written notice of the hearing decision to claim good cause for failure to appear. In all other instances, the household member has 10 days from the date of the scheduled hearing to present reasons indicating a good cause for failure to appear. A hearing official must enter the good cause decision into the record.

**The Department properly notified the Defendant of the ADH and she was present for the proceedings.**

4. Title 7 of the Code of Federal Regulations (“CFR”) 273.16 (a)(1) provides that the State agency shall be responsible for investigating any case of alleged intentional program violation and ensuring that appropriate cases are acted upon either through administrative disqualification hearings or referral to a court of appropriate jurisdiction in accordance with the procedures outlined in this section. Administrative disqualification procedures or referral for prosecution action should be initiated by the State agency in cases in which the State agency has sufficient documentary evidence to substantiate that an individual has intentionally made one or more acts of intentional Program violation as defined in paragraph (c) of this section. If the State agency does not initiate administrative disqualification procedures or refer for prosecution a case involving an over issuance caused by a suspected act of intentional Program violation, the state agency shall take action to collect the over issuance by establishing an inadvertent household error claim

against the household in accordance with the procedures in in § 273.18. The State agency should conduct administrative disqualification hearings in cases in which the State agency believes the facts of the individual case do not warrant civil or criminal prosecution through the appropriate court system, in cases previously referred for prosecution that were declined by the appropriate legal authority, and in previously referred cases where no action was taken within a reasonable period of time and the referral was formally withdrawn by the State agency. The State agency shall not initiate an administrative disqualification hearing against an accused individual whose case is currently being referred for prosecution or subsequent to any action taken against the accused individual by the prosecutor or court of appropriate jurisdiction. If the factual issues of the case arise out of the same, or related, circumstances. The State agency may initiate administrative disqualification procedures or refer a case for prosecution regardless of the current eligibility of the individual.

**The Defendant's case has not been referred for civil or criminal prosecution. The ADH was properly initiated by the Department.**

5. 7 C.F.R. § 273.16(a)(3) provides that the State agency shall base administrative disqualifications for Intentional Program Violations on the determinations of hearing authorities arrived at through administrative disqualification hearings in accordance with paragraph (e) of this section or on determinations reached by courts of appropriate jurisdiction in accordance with paragraph (g) of this section. However, any State agency has the option of allowing accused individual either to waive their rights to administrative disqualification hearings in accordance with paragraph (f) of this section or to sign disqualification consent agreements for cases of deferred adjudication in accordance with paragraph (h) of this section. Any State agency which chooses either of these options may base administrative disqualifications for Intentional Program Violation on the waived right to an administrative disqualification hearing or on the signed disqualification consent agreement in cases of deferred adjudication.

**The Defendant signed the waiver acknowledging that she read the Department's proposed disqualification and she executed her right to an administrative hearing.**

6. 7 C.F.R § 273.2(n) provides: Authorized representative. Representatives may be authorized to act on behalf of a household in the application process, in obtaining SNAP benefits, and in using SNAP benefits.

7 C.F.R § 273.2(n)(1) provides: Application processing and reporting. The State agency shall inform applicants and prospective applicants that indicate that they may have difficulty completing the application process, that a nonhousehold member may be designated as the authorized representative for application processing purposes. The household member or the authorized representative may complete work registration forms for those household members required to



register for work. The authorized representative designated for application processing purposes may also carry out household responsibilities during the certification period, such as reporting changes in the household's income or other household circumstances in accordance with §§ 273.12(a) and 273.21. Except for those situations in which a drug and alcohol treatment center or other group living arrangement acts as the authorized representative, the State agency must inform the household that the household will be held liable for any overissuance that results from erroneous information given by the authorized representative.

7 C.F.R. § 273.2(n)(2) provides: Obtaining SNAP benefits. An authorized representative may be designated to obtain benefits. Even if the household is able to obtain benefits, it should be encouraged to name an authorized representative for obtaining benefits in case of illness or other circumstances which might result in an inability to obtain benefits. The name of the authorized representative must be recorded in the household's case record. The authorized representative for obtaining benefits may or may not be the same individual designated as an authorized representative for the application process or for meeting reporting requirements during the certification period.

7 C.F.R. § 273.2(n)(3) provides: Using benefits. A household may allow any household member or nonmember to use its EBT card to purchase food or meals, if authorized, for the household. Drug or alcohol treatment centers and group living arrangements which act as authorized representatives for residents of the facilities must use SNAP benefits for food prepared and served to those residents participating in SNAP (except when residents leave the facility as provided in § 273.11(e) and (f)).

**The Defendant's mother did not appoint an AREP and or authorized SNAP shopper. Furthermore, any EBT transactions after her expiration were fundamentally unauthorized.**

7. 7 C.F.R. § 273.16(c) defines IPV as follows: For purposes of determining through administrative disqualification hearings whether or not a person has committed an IPV, IPV's shall consist of having intentionally: (1) made a false or misleading statement, or misrepresented, concealed or withheld facts, or (2) committed any act that constitutes a violation of the Food Stamp Act, the Food Stamp Program Regulations, or any State statute relating to the use, presentation, transfer, acquisition, receipt, or possession of Food Stamp coupons, authorization cards or reusable documents used as part of an automated delivery system. (access device).

7 C.F.R. § 273.16 (e)(6) provides that the hearing authority shall base the determination of Intentional Program Violation on clear and convincing evidence which demonstrates that the household member(s) committed, and intended to commit, an Intentional Program Violation.

7 C.F.R. § 271.2 defines trafficking as the buying, selling, stealing, or otherwise effecting an exchange of SNAP benefits issued and accessed via Electronic Benefit Transfer (EBT) cards, card numbers, and personal identification numbers (PINs), or by manual voucher and signature, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone; 2. The exchange of firearms, ammunition, explosives, or controlled substances, as defined in section 802 of Title 21, United States Code, for SNAP benefits; 3. Purchasing a product with SNAP benefits that has a container requiring a return deposit with the intent of obtaining cash by discarding the product and returning the container for the deposit amount, intentionally discarding the product, and intentionally returning the container for the deposit amount. 4. Purchasing a product with SNAP benefits with the intent of obtaining cash or consideration other than eligible food by reselling the product, and subsequently intentionally reselling the product purchased with SNAP benefits in exchange for cash or consideration other than eligible food. or 5. Intentionally purchasing products originally purchased with SNAP benefits in exchange for cash or consideration other than eligible food. 6. Attempting to buy, sell, steal, or otherwise affect an exchange of SNAP benefits issued and accessed via Electronic Benefit Transfer (EBT) cards, card numbers, and personal identification numbers (PINs), or by manual voucher and signatures, for cash or consideration other than eligible food, either directly, indirectly, in complicity or collusion with others, or acting alone.

**The Department provided clear and convincing evidence demonstrating that the Defendant violated the SNAP program and participated in trafficking (exchange of benefits/misuse of an EBT card) when she used her mother's EBT card after her mother's expiration.**

**The Defendant corroborated the Department's allegations and acknowledged that she did in fact use her mother's EBT card to make the SNAP purchases totaling \$251.77 on the above-noted dates.**

7. 7 C.F.R. § 273.16 (e)(8)(i) provides that if the hearing authority rules that the individual has committed an intentional program violation, the household member must be disqualified in accordance with the disqualification periods and procedure in paragraph (b) of this section. The same act of intentional Program violation repeated over a period must not be separated so that separate penalties can be imposed.

7 C.F.R. § 273.16 (b)(1)(i) provides that individuals found to have committed an intentional program violation either through an administrative disqualification hearing or by a Federal, State or local court, or who have signed either a waiver of right to an administrative disqualification hearing or a disqualification consent agreement in cases referred for prosecution, shall be ineligible to participate in the Program; for a period of twelve months for the first intentional Program violation, except as provided under paragraphs (b)(2), (b)(3), (b)(4), and (b)(5) of this section.

7 C.F.R. § 273.16 (b)(5) provides for disqualification penalties and states that individuals found to have committed an IPV shall be ineligible to participate in the program for a period of twelve months for the first IPV. except as provided under paragraphs (b)(2), (b)(3), (b)(4) and (b)(5) of this section.

**The Department correctly seeks to disqualify the Defendant for a first IPV resulting in ineligibility of participation in the SNAP for a period of twelve (12) months.**

8. 7 C.F.R. § 273.16 (b) (12) provides that even though the individual is disqualified, the household, as defined in § 273.1, is responsible for making restitution for the amount of any overpayment. All intentional Program violation claims must be established and collected in accordance with the procedures set form in § 273.18.

7 C.F.R. § 273.18 (a) provides claims against households. (a) General. (1) A recipient claim is an amount owed because of: (i) Benefits that are overpaid or (ii) Benefits that are trafficked. Trafficking is defined in 7 C.F.R. 271.2. (2) This claim is a Federal debt subject to this and other regulations governing Federal debts. The State agency must establish and collect any claim by following these regulations. (3) As a State agency, you must develop a plan for establishing and collecting claims that provides orderly claims processing and results in claims collections similar to corrective action to correct any deficiencies in the plan. (4) The following are responsible for paying a claim. (i) Each person who was an adult member of the household when the overpayment or trafficking occurred; (ii) A person connected to the household, such as an authorized representative; who actually traffics or otherwise causes and overpayment of trafficking.

7 C.F.R. § 273.18 (c)(2)(iii) provides for calculating the claim amount. Trafficking related claims. Claims arising from trafficking-related offenses will be the value of the trafficked benefits as determined by the documentation that forms the basis for the trafficking determination.

**The Department correctly determined the Defendant committed an IPV of the SNAP and incurred a SNAP overpayment of \$251.77 due to trafficking violations. The Department is correct to seek recoupment of \$251.77 in SNAP benefits from the Defendant.**

## DISCUSSION

The Defendant acknowledged that her actions were in violation of the SNAP; furthermore, she took accountability and emphasized that her mother's untimely passing left her in a desperate situation. However, I find that the Defendant's dire situation does not refute her responsibilities under the SNAP.

## DECISION

The Defendant is GUILTY of committing a first offense IPV in the SNAP.

The Defendant is disqualified from the SNAP for a period of one (1) year and must make restitution of \$251.77, the amount of the IPV, subject to recovery.

*Jessica Gulianello*

---

Jessica Gulianello  
Hearing Officer

CC: OLCRAH.QA.DSS@ct.gov  
Sally Stanley, DSS Investigator, DO 60

### **RIGHT TO APPEAL**

The defendant has the right to appeal this decision to Superior Court within 45 days of the mailing of this decision. 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 06105-3725. 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 her 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 defendant resides.