

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

■■■■ 2024
Signature Confirmation

Client ID ■■■■
Case ID ■■■■
Request # 236622

NOTICE OF DECISION

PARTY

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PROCEDURAL BACKGROUND

On ■■■■ 2024, the Department of Social Services (the "Department") issued a Notice of Action to ■■■■ (the "Appellant"). The notice informed the Appellant her benefits under the Supplemental Nutritional Assistance Program ("SNAP") will be reduced to \$157.00 per month beginning ■■■■ 2024.

On ■■■■ 2024, the Appellant requested an administrative hearing to contest the Department's decision to reduce her SNAP benefits beginning ■■■■ 2024.

On ■■■■ 2024, the Office of Legal Counsel, Regulations, and Administrative Hearings ("OLCRAH") issued a notice scheduling the administrative hearing for ■■■■ 2024.

On ■■■■ 2024, 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
Selena Edwards, Department Representative
Lisa Nyren, Fair Hearing Officer

The hearing record remained open for the submission of additional evidence by the Appellant and the Department. The Department submitted additional evidence, but no additional evidence was received from the Appellant. On [REDACTED] 2024, the hearing record closed.

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department's calculation of the Appellant's SNAP benefits as \$157.00 beginning [REDACTED] 2024 is correct.

FINDINGS OF FACT

1. The Appellant receives benefits under the SNAP for herself age [REDACTED] ([REDACTED] and son [REDACTED] ("minor child") age [REDACTED] ([REDACTED]. No one in the household is disabled although the minor child receives speech services through the [REDACTED] program and is being evaluated for autism spectrum disorder. (Appellant Testimony, Exhibit 1: Application, and Exhibit 5: Notice of Action)
2. The Appellant's 12-month SNAP certification period began [REDACTED] 2023 and ended on [REDACTED] 2024. (Department Representative Testimony and Exhibit 7: Federal SNAP – Income Test)
3. On [REDACTED] 2024, the Department received the Appellant's online renewal application requesting continued benefits under the SNAP for herself and the minor child. (Exhibit 1: Online Renewal Application and Department Representative Testimony)
4. On [REDACTED] 2024, the Department recertified the Appellant's benefits under the SNAP for a household of two, the Appellant and minor child, beginning [REDACTED] 2024 through [REDACTED] 2025. The Department determined the Appellant eligible for a monthly SNAP benefit of \$157.00 per month effective [REDACTED] 2024. (Hearing Record)
5. The Appellant works for the [REDACTED] (the "employer"). The Appellant's hours can vary from week to week. The Appellant earned the following gross bi-weekly pay:
 - Pay Date [REDACTED] 2024 Gross Wages \$1,289.25 71.25 hours
 - Pay Date [REDACTED] 2024 Gross Wages \$1,377.00 76.50 hours

(Exhibit 11: Paystubs)

6. The minor child is enrolled in childcare at [REDACTED] (the “childcare center”), a childcare center. The Appellant receives childcare assistance through the Care 4 Kids (“C4K”) program since [REDACTED] 2023. Due to a private pay balance with the childcare center caused by a delay in the C4K payment, the Appellant has not had to pay the childcare center for her share of childcare costs until [REDACTED] [REDACTED] 2024 when the childcare center charged her \$860.75 on [REDACTED] [REDACTED] 2024 which was debited from her bank account. The Appellant did not receive an invoice or bill from the childcare center and does not know the time period associated with the charge. (Appellant Testimony)
7. C4K’s calculated the Appellant’s family fee for which she must pay directly to the childcare center as follows:
- [REDACTED]/23 – [REDACTED]/24 family fee: \$163.00
 - [REDACTED]/24 – [REDACTED]/25 family fee: \$172.00, certification pending with C4K
- Provider charges \$1,822.43 – C4Ks payment \$1,659.43 = \$163.00 family fee
- (Exhibit 12: C4K Documents)
8. The Department determined the Appellant’s monthly gross wages as \$2,866.22.
- \$1,289.25 gross pay [REDACTED]/24 + \$1,377.00 gross pay [REDACTED]/24 = \$2,666.25
 \$2,666.25 / 2 biweekly pays = \$1,333.125
 \$1,333.125 x 2.15 weeks = \$2,866.2187 monthly gross wages
- (Exhibit 5: Notice of Action, Exhibit 8: Federal SNAP-Income Test , Exhibit 9: Federal SNAP-Income Test and Exhibit 11: Paystubs)
9. The Appellant received an earned income deduction equal to \$573.24.
 \$2,866.22 gross monthly income x 20% Earned Income Deduction = \$573.244. (Exhibit 8: Federal SNAP – Income Test and Exhibit 9: Federal SNAP – Income Test)
10. The Department determined the standard deduction as \$198.00 per month for a household of two under the SNAP. (Exhibit 8: Federal SNAP – Income Test and Exhibit 9: Federal SNAP – Income Test)
11. The Department determined the Appellant eligible for the dependent care deduction. Based on the C4K’s database, the Department determined the Appellant eligible for a childcare deduction of \$163.00 per month under the SNAP because C4K’s calculated the Appellant’s family share as \$163.00 for [REDACTED] 2024. (Department Representative Testimony, Exhibit 8:

Federal SNAP – Income Test, Exhibit 9: Federal SNAP – Income Test, and Exhibit 12: C4K’s Documents)

12. The Appellant pays rent of \$950.00 per month. (Stipulated)
13. The Appellant pays for heating and cooling. The Appellant’s heats with electricity. The Appellant received the standard utility allowance (“SUA”) of \$912.00 under the SNAP. (Exhibit 8: Federal SNAP – Income Test, Exhibit 9: Federal SNAP Income Test, Appellant Testimony, and Department Representative Testimony)
14. The Department determined the Appellant’s total shelter costs as \$1,862.00 and the SNAP shelter deduction as \$672.00. \$950.00 Rent + \$912.00 SUA = \$1,862.00 total shelter costs. (Exhibit 5: Notice of Action, Exhibit 8: Federal SNAP - Income Test and Exhibit 9: Federal SNAP – Income Test)
15. Beginning [REDACTED] [REDACTED] 2024, the Department determined the Appellant’s monthly SNAP allotment as \$157.00. (Hearing Record)
16. The issuance of this decision is timely under Title 7 Section 273.15(c) of the Code of Federal Regulations, which requires that a decision be issued within 60 days of the request for an administrative hearing. The Appellant requested an administrative hearing on [REDACTED] [REDACTED] 2024. However, the close of the hearing record, which had been anticipated to close on [REDACTED] [REDACTED] 2024, did not close for the admission of evidence from the Appellant and the Department until [REDACTED] [REDACTED] 2024. Therefore, this decision is due not later than [REDACTED] [REDACTED] 2024.

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 273.14(a) of the Code of Federal Regulations (“C.F.R.”) provides as follows:

No household may participate beyond the expiration of the certification period assigned in accordance with § 273.10(f) without a determination of eligibility for a new period. The State agency must establish procedures for notifying households of expiration dates, providing application forms, scheduling interviews, and recertifying eligible households prior to the

expiration of certification periods. Households must apply for recertification and comply with interview and verification requirements..

Federal regulation provides as follows:

Other households that have met all application requirements shall be notified of their eligibility or ineligibility by the end of their current certification period. In addition, the State agency shall provide households that are determined eligible an opportunity to participate by the household's normal issuance cycle in the month following the end of its current certification period.

7 C.F.R. § 273.14(d)(2)

The Appellant correctly filed an application for recertification timely with the Department. The Department correctly processed the Appellant's request for continued benefits under the recertification process.

3. Federal regulation 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).

7 C.F.R. § 273.1(b)(1)(ii)

The Department correctly determined a household of two, the Appellant and the minor child.

4. "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.

5. 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 \$2,866.22.

**\$1,289.25 gross wages ■/■/24 + \$1,377.00 gross wages ■/■/24 =
\$2,666.25 4 week total gross wages
\$2,666.25 / 2 bi-weekly pays = \$1,333.125 bi-weekly average pay
\$1,333.125 x 2.15 weeks = \$2,866.2187 monthly gross wages**

6. "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, 2023 through September 30, 2024 the standard deduction for the 48 States & District of Columbia for a household of 2 is \$198.00. [United States Department of Agriculture, Food and Nutrition Service, Fiscal Year (FY) 2024 Cost-of-Living Adjustments, August 3, 2023]

The Department correctly determined the standard deduction for a household of two as \$198.00.

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)

The Department correctly determined the earned income deduction as \$573.24. \$2,866.22 gross earnings x 20% = \$573.24 earned income deduction.

Federal regulation provides as follows:

Payments for dependent care when necessary for a household member to search for, accept or continue employment, comply with the employment and training requirements as specified under § 273.7(e), or attend training or pursue education that is preparatory to employment, except as provided in § 273.10(d)(1)(i). Costs that may be deducted are limited to the care of an individual for whom the household provides dependent care, including care of a child under the age of 18 or an incapacitated person of any age in need of care. The costs of care provided by a relative may be deducted so long as the relative providing care is not part of the same SNAP household as the child or dependent adult receiving care. Dependent care expenses must be separately identified, necessary to participate in the care arrangement, and not already paid by another source on behalf of the household. If a household incurs attendant care costs that could qualify under both the medical deduction of § 273.9(d)(3)(x) and dependent care deduction of § 273.9(d)(4), the costs may be deducted as a medical expense or a dependent care expense, but not both. Allowable dependent care costs include:

- i. The cost of care given by an individual care provider or care facility;
- ii. Transportation costs to and from the care facility; and
- iii. Activity or other fees associated with the care provided to the dependent that are necessary for the household to participate in the care.

7 C.F.R. § 273.9(d)(4)

Upon review of the Care 4 Kids database, the Department correctly determined the Appellant qualified for the dependent care deduction of \$163.00 per month. The hearing record is void of any documentation provided by the Appellant to dispute the Care 4 Kids database.¹

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

¹ Connecticut Department of Social Services SNAP Policy Manual provides as follows: Dependent Care Verification. Review the Care 4 Kids database for payments. Care 4 Kids information is verified upon receipt.

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, 2023 through September 30, 2024, the maximum shelter deduction for the 48 States and DC equals \$672.00. [United States Department of Agriculture, Food and Nutrition Service, Memorandum SNAP – Fiscal Year 2024 Cost-of-Living Adjustments, August 3, 2023]

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)

The Department correctly determined the Appellant's shelter costs as \$1,862.00 per month which included the SUA. \$950.00 rent + \$912.00 SUA = \$1,862.00.

The Department correctly determined the shelter disregard as \$672.00, the maximum allowed. Refer to Conclusion of Law ("COL") #8.

7. 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.
- 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)

8. 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.

7 CFR § 273.10(e)(4)(i)

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

Effective October 1, 2023 through September 30, 2024 the maximum monthly SNAP allotment for the 48 States & District of Columbia for a household two equals \$535.00. [United States Department of Agriculture, Food and Nutrition Services, Memorandum SNAP – Fiscal Year 2024 Cost-of-Living Adjustments, August 3, 2023]

On [REDACTED] 2024, the Department correctly determined the Appellant's SNAP benefit as \$157.00 beginning [REDACTED] 2024 and issued the Appellant a Notice of Action informing her of the decrease in benefits.

INCOME	
Total Earned Income	\$2,866.22
Total Household Income	\$2,866.22
Less Earned Income disregard	-\$573.24
Less standard deduction	-\$198.00
Less dependent care deduction	-163.00
Adjusted gross income	\$1,931.98
<u>SHELTER COSTS</u>	
Rent	\$950.00
SUA	+\$912.00
Total shelter costs	\$1,862.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$1,862.00
Less 50% of adjusted gross income	<u>-\$965.99</u>
Calculated shelter hardship	\$896.01
Maximum shelter hardship	\$672.00
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	\$1,931.98
Less shelter hardship	<u>-\$672.00</u>
Net Adjusted Income (NAI)	\$1,259.98
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for 2 Person/s	\$535.00
Less 30% of NAI (1,259.98 x 30%= 377.99)	<u>-\$378.00</u>
SNAP award	\$157.00

DECISION

The Appellant's appeal is denied.

Lisa A. Nyren
Lisa A. Nyren
Fair Hearing Officer

CC: Theresa Deangelis, SSOM RO #52
Nicole Matos, SSOM RO #52
Selena Edwards, FHL RO #52

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.