

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

██████████ 2024
Signature Confirmation

Case ID # ██████████
Client ID # ██████████
Hearing Request # 236751

NOTICE OF DECISION

PARTY

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

PROCEDURAL BACKGROUND

On ██████████ 2024, the Department of Social Services (the "Department") issued ██████████ (the "Appellant") a Notice of Action ("NOA") stating that her Supplemental Nutrition Assistance Program ("SNAP") benefit would be discontinued effective ██████████ 2024.

On ██████████, 2024, the Appellant requested an administrative hearing because she disagrees with the decision to discontinue such benefits.

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 at the hearing:

██████████, the Appellant
Jennifer Miller, Department's Representative
Lacey Gray, Department's Representative
Scott Zuckerman, Hearing Officer

STATEMENT OF THE ISSUE

The issue to be decided is whether the Department correctly calculated the Appellant's monthly SNAP benefits effective [REDACTED], 2024.

FINDINGS OF FACT

1. On [REDACTED] 2024, the Department sent the Appellant an NOA. The notice stated the Appellant's SNAP would be discontinued effective [REDACTED], 2024, because her income exceeds the net income limit for the program. (Exhibit 6: NOA, [REDACTED]/24)
2. On [REDACTED] 2024, the Appellant submitted a W-1E, Application for Benefits, requesting SNAP benefits for a household of one. The Application was not signed. (Department's testimony and Exhibit 2: W-1E, [REDACTED]/24)
3. On [REDACTED] 2024, the Department reviewed the application and sent the Appellant the signature page to sign. (Department's testimony, and Exhibit 5: Case notes)
4. On [REDACTED], 2024, the Department received the signed and dated missing signature page. (Exhibit 3: Certifications and Signatures and Exhibit 5: Case Notes)
5. On [REDACTED] 2024, the Department attempted a SNAP telephone interview and sent the Appellant a W-1348, requesting last-date work and wages at [REDACTED] (Exhibit 5)
6. On [REDACTED] 2024, the Appellant appeared at the Department's service center. The Department completed the SNAP interview. (Exhibit 5)
7. The Appellant is disabled and elderly (DOB: [REDACTED]/1961). (Hearing Record)
8. The Appellant receives Social Security Disability Income, ("SSDI") in the amount of \$1251.00. The Appellant's benefit is reduced by \$315.00 monthly due to an overpayment, for a net countable benefit of \$936.00. (Exhibit 4: Federal SNAP Income Test, [REDACTED] 2024 through [REDACTED] 2024 and Exhibit 5)
9. The Appellant pays a monthly child support expense of \$130.00. (Exhibit 4 and Exhibit 5)
10. The Appellant receives a monthly pension of \$22.68. (Exhibits 4)
11. In [REDACTED] 2024, the Appellant received a widow's benefit through Social Security of \$449.00. (Exhibit 4 and 5)

12. In [REDACTED] 2024, the Appellant did not receive a social security widow's benefit. (Exhibit 4)
13. In [REDACTED] 2024, the Appellant receives a widow's benefit of \$449.00. (Exhibit 4)
14. The Appellant has a monthly rent payment of \$700.00. (Exhibit 2: W-1E and Exhibit 4)
15. The Appellant pays hearing expenses and receives the Standard Utility Allowance ("SUA"). (Exhibit 4)
16. On [REDACTED], 2024, the Department sent the Appellant an NOA. The notice stated that the Appellant was approved for SNAP effective [REDACTED] 2024, and certified through [REDACTED], 2025. The Appellant's SNAP benefit amount is \$48.00 for [REDACTED] 2024, \$291.00 for [REDACTED] 2024, and \$288.00 for [REDACTED] 2024 through the end of the certification period. (Exhibit 1: NOA, [REDACTED]24)
17. The issuance of this decision is timely under the Code of Federal Regulations ("CFR") § 273.15 which states that a decision must be reached and the household notified within 60 days of receipt of a request for a fair hearing. The Appellant requested an administrative hearing on [REDACTED] 2024. Therefore, this decision is due no later than [REDACTED] 2024, and is therefore timely. (Hearing Record)

CONCLUSIONS OF LAW

1. Connecticut General Statutes § 17b-2 provides that the Department of Social Services is designated as the state agency for the administration of (7) the supplemental nutrition assistance program pursuant to the Food and Nutrition Act of 2008.

The Department has the authority to review the Appellant's ongoing SNAP eligibility to determine whether his household meets the program's income requirements.

2. Title 7 of the Code of Federal Regulations ("C.F.R.") § 273.2(c)(1)(iv) provides for recording the filing date. The date of application is the date the application is received by the State agency. State agencies must document the application date on the application. If the application is received outside normal business hours the State agency will consider the date of application the next business day. For online applications, the date of application is the date the application is submitted, or the next business day if it is submitted after business hours. For telephonic applications, the date of application is the date on which the household member provides verbal assent.
3. Title 7 C.F.R. 273.2(c)(7)(i) provides for *Requirement for a signature*. A form must be signed to establish a filing date and to determine the State agency's deadline for

acting on the form. The State agency shall not certify a household without a signed form.

4. Title 7 C.F.R. § 273.2 (d)(1) provides in part that to determine eligibility, the application form must be completed and signed, the household or its' authorized representative must be interviewed, and certain information on the application must be verified.

The Department correctly determined the Appellant's application date of [REDACTED] 2024, the date the application was signed.

5. Title 7 C.F.R. 273.2(e)(1) provides for interviews and states that except for households certified for longer than 12 months, and except as provided in [paragraph \(e\)\(2\)](#) of this section, households must have a face-to-face interview with an eligibility worker at initial certification and at least once every 12 months thereafter. State agencies may not require households to report for an in-office interview during their certification period, though they may request households to do so. For example, State agencies may not require households to report en masse for an in-office interview during their certification periods simply to review their case files, or for any other reason. State agencies may not require an in person interview solely to take a photo. Interviews may be conducted at the SNAP office or other mutually acceptable location, including a household's residence. If the interview will be conducted at the household's residence, it must be scheduled in advance with the household. If a household in which all adult members are elderly or disabled is certified for 24 months in accordance with [§ 273.10\(f\)\(1\)](#), or a household residing on a reservation is required to submit monthly reports and is certified for 24 months in accordance with [§ 273.10\(f\)\(2\)](#), a face-to-face interview is not required during the certification period. The individual interviewed may be the head of household, spouse, any other responsible member of the household, or an authorized representative. The applicant may bring any person he or she chooses to the interview. The interviewer must not simply review the information that appears on the application, but must explore and resolve with the household unclear and incomplete information. The interviewer must advise households of their rights and responsibilities during the interview, including the appropriate application processing standard and the households' responsibility to report changes. The interviewer must advise households that are also applying for or receiving PA benefits that time limits and other requirements that apply to the receipt of PA benefits do not apply to the receipt of SNAP benefits, and that households which cease receiving PA benefits because they have reached a time limit, have begun working, or for other reasons, may still qualify for SNAP benefits. The interviewer must conduct the interview as an official and confidential discussion of household circumstances. The State agency must protect the applicant's right to privacy during the interview. Facilities must be adequate to preserve the privacy and confidentiality of the interview.

The Appellant completed the SNAP interview.

6. Title 7 C.F.R. § 271.2 defines an elderly or disabled member as a member of a household who: (1) Is 60 years of age or older; (2) Receives supplemental security income benefits under title XVI of the Social Security Act or disability or blindness payments under titles I, II, X, XIV, or XVI of the Social Security Act; (3) Receives federally or State-administered supplemental benefits under section 1616(a) of the Social Security Act provided that the eligibility to receive the benefits is based upon the disability or blindness criteria used under title XVI of the Social Security Act.

The Appellant is elderly and disabled.

7. Title 7 C.F.R. § 273.9 (a) provides that participation in the Program shall be limited to those households whose income incomes are determined to be a substantial limiting factor in permitting them to obtain a more nutritious diet. Households that 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 which 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)).

Title 7 C.F.R. § 273.2(j) (2) (ii) (A) provides the state agency, at its option, may extend categorically 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 set forth in Section 401 of P.L. 104-193. States must inform FNS of the TANF services under this paragraph that they are determined to confer categorical eligibility.

The Department correctly determined that the Appellant's household contains elderly household members and is therefore subject to the net (applied) income eligibility standards.

8. Title 7 C.F.R. § 273.9(b)(2) provides in part that unearned income shall include (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 determined the Appellant's monthly income from SSDI is \$936.00.

The Department correctly determined the Appellant's monthly income from her Social Security Widow's benefit is \$449.00.

The Department correctly determined the Appellant's monthly pension is \$22.68.

The Department correctly determined the Appellant's household monthly gross unearned as \$1407.68 for █████ 2024 (\$936.00 SSDI + \$449.00 SS Widows benefit + \$22.68 pension).

The Department correctly determined the Appellant's household's monthly gross unearned income as \$958.68 for █████ 2024 (\$936.00 SSDI + 22.68 pension).

The Department correctly determined the Appellant's household's monthly gross unearned income as \$1407.68 for █████ 2024 (\$936.00 SSDI + \$449.00 SS Widows benefit + \$22.68 pension).

9. Title 7 C.F.R. § 273.9(d)(1)(i) provides for standard deductions and states that Effective October 1, 2002, in the 48 States and 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.
10. Title 7 C.F.R. § 273.9 (d) (1) (iii) provides for Minimum deduction levels. 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.
11. Title 7 C.F.R. 273.9(d)(5) provides for optional child support deduction. At its option, the State agency may provide a deduction, rather than the income exclusion provided under paragraph (c)(17) of this section, for legally obligated child support payments paid by a household member to or for a nonhousehold member, including payments made to a third party on behalf of the nonhousehold member (vendor payments) and amounts paid toward child support arrearages. Alimony payments made to or for a nonhousehold member shall not be included in the child support deduction. A State agency that chooses to provide a child support deduction rather than an exclusion in accordance with this paragraph (d)(5) must specify in its State plan of operation that it has chosen to provide the deduction rather than the exclusion.

The Department correctly applied the standard deduction of \$198.00 to the Appellant's total income of \$1407.68 for an adjusted gross income of \$1234.00 (\$1432.00 - \$198.00).

The Department correctly applied the child support deduction of \$130.00 to the Appellant's total income of \$1407.68.

The Department correctly determined that the Appellant's adjusted gross income is \$1079.68 (\$1407.68 total income - \$198.00 standard deduction - \$130.00 child support deduction).

12. Title 7 C.F.R. § 273.9 (d) (6) (ii) provides for excess shelter deduction. Monthly shelter expenses more than 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.

The Department correctly determined the Appellant's household is eligible for an uncapped shelter deduction because her household is elderly.

13. Title 7 C.F.R. § 273.9(d) (6) (iii) provides for the Standard Utility Allowance ("SUA"). (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); 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.

The Department correctly allowed the Appellant the SUA.

The Department correctly determined the Appellant's shelter costs to be \$1612.00 (\$700.00 rent + \$912.00 SUA)

The Department correctly determined that 50% of the Appellant's adjusted gross income is \$539.84 ($\$1079.68 / 2 = \539.84) for [REDACTED] and [REDACTED] of 2024.

The Department correctly determined that 50% of the Appellant's adjusted gross income is \$315.34 ($\$630.88 / 2 = \315.34) for [REDACTED] 2024

The Department correctly determined the Appellant's shelter hardship as \$1072.16 ($\1612.00 shelter costs - $\$539.84$ 50% adjusted gross) for [REDACTED] and [REDACTED] 2024.

The Department correctly determined the Appellant's shelter hardship as \$1296.66 ($\1612.00 shelter costs - $\$315.34$ 50% adjusted gross) for [REDACTED] 2024.

The Department correctly determined the Appellant's net adjusted income is \$7.52. ($\1079.68 adjusted gross income - $\$1072.16$ shelter hardship) for [REDACTED] and [REDACTED] 2024.

The Department correctly determined the Appellant's net adjusted income is \$0.00 ($\630.68 adjusted gross income - $\$1296.66$ shelter hardship) for [REDACTED] 2024.

14. Title 7 C.F.R. § 273.10 (e) (2) (ii) (A) provides 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 net adjusted income, rounded up is \$3.00 ($\$7.52 \times 30\%$) for [REDACTED] and [REDACTED] 2024.

The Department correctly determined that 30 % of the Appellant's net adjusted income, rounded up is \$0.00 ($\$0.00 \times 30\%$) for [REDACTED] 2024.

15. Title 7 C.F.R. § 273.10(e) (4) (i) provides for the Thrifty Food Plan ("TFP") and Maximum Food Stamp Allotments. Maximum food stamp allotment level. Maximum food stamp 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 one from [REDACTED] 2023, through [REDACTED] 2024, is \$291.00.

16. Title 7 C.F.R. 273.10(a)(1)(ii) provides that a household's benefit level for the initial months of certification shall be based on the day of the month it applies for benefits and the household shall receive benefits from the date of application to the end of the month unless the applicant household consists of residents of a public institution. For households which apply for SSI prior to their release from a public institution in accordance with § 273.11(i), the benefit level for the initial month of certification shall be based on the date of the month the household is released from the institution and the household shall receive benefits from the date of the household's release from the institution to the end of the month. As used in this section, the term "initial month" means the first month for which the household is certified for participation in SNAP following any period during which the household was not certified for participation, except for migrant and seasonal farmworker households. In the case of migrant and seasonal farmworker households, the term "initial month" means the first month for which the household is certified for participation in SNAP following any period of more than 1 month during which the household was not certified for participation. Recertification shall be processed in accordance with § 273.10(a)(2). The State agency shall prorate a household's benefits according to one of the two following options:

(A) The State agency shall use a standard 30-day calendar or fiscal month. A household applying on the 31st of a month will be treated as though it applied on the 30th of the month.

(B) The State agency shall prorate benefits over the exact length of a particular calendar or fiscal month.

17. Title 7 C.F.R. 273.10(a)(1)(iii) provides that to determine the amount of the prorated allotment, the State agency shall use either the appropriate Food Stamp Allotment Proration table provided by FNS or whichever of the following formulae is appropriate:

(A) For State agencies which use a standard 30-day calendar or fiscal month the formula is as follows, keeping in mind that the date of application for someone applying on the 31st of a month is the 30th:

Full months benefits x (31 – date of application) / 30 = allotment

(B) For State agencies which use the exact number of days in a month, the formula is:

Full months benefits x number of days in month + 1 – date of application / number of days in month = allotment

18. The Appellant's SNAP benefits are computed as follows for ██████████ 2024:

<u>SNAP BENEFIT CALCULATION</u>	
<u>INCOME</u>	
SSDI	\$936.00
SSDI – Widows Benefit	\$449.00
Pension	\$22.68
Total Unearned Income	\$1407.68
Less standard deduction	<u>-\$198.00</u>
Child Support paid	<u>-\$130.00</u>
Adjusted gross income	\$1079.68
<u>SHELTER COSTS</u>	
Rent	\$700.00
SUA	<u>+\$912.00</u>
Total shelter costs	\$1612.00
<u>SHELTER HARDSHIP</u>	
Shelter costs	\$1612.00
Less 50% of adjusted gross income	<u>-\$539.84</u>
Total shelter hardship	\$1072.16 <small>(Cannot exceed \$672 unless elderly or disabled)</small>
<u>ADJUSTED NET INCOME</u>	
Adjusted gross income	\$1079.68
Less shelter hardship	<u>-\$1072.16</u>
Net Adjusted Income (NAI)	\$7.52
<u>BENEFIT CALCULATION</u>	
Thrifty Food Plan for one	\$291.00
Less 30% of NAI	<u>-\$3.00</u>
SNAP award	\$288.00
Day of Month applied	26
March SNAP Benefit [Pro – Rated] (31 – 26 = 5 x \$288 = 1440 / 30 = \$48.00)	\$48.00

The Department correctly granted SNAP benefits effective ██████████ 2024, the date it received the Appellant's signed application.

The Department correctly calculated the Appellant's █████ 2024 SNAP benefit amount of \$48.00 effective █████, 2024.

19. The Appellant's SNAP benefits are computed as follows for █████ 2024:

SNAP BENEFIT CALCULATION	
INCOME	
SSDI	\$936.00
Pension	\$22.68
Total Unearned Income	\$958.68
Less standard deduction	<u>-\$198.00</u>
Child Support paid	<u>-\$130.00</u>
Adjusted gross income	\$630.68
SHELTER COSTS	
Rent	\$700.00
SUA	<u>+\$912.00</u>
Total shelter costs	\$1612.00
SHELTER HARDSHIP	
Shelter costs	\$1612.00
Less 50% of adjusted gross income	<u>-\$315.34</u>
Total shelter hardship	\$1072.16 <small>(Cannot exceed \$672 unless elderly or disabled)</small>
ADJUSTED NET INCOME	
Adjusted gross income	\$1079.68
Less shelter hardship	<u>-\$1296.66</u>
Net Adjusted Income (NAI)	\$0.00
BENEFIT CALCULATION	
Thrifty Food Plan for one	\$291.00
Less 30% of NAI	<u>-\$0.00</u>
SNAP award	\$291.00

The Department correctly calculated the Appellant's █████ 2024 SNAP benefit amount of \$291.00.

20. The Appellant's SNAP benefits are computed as follows for █████ 2024 through the end of the certification period:

SNAP BENEFIT CALCULATION	
INCOME	
SSDI	\$936.00
SSDI – Widows Benefit	\$449.00
Pension	\$22.68

Total Unearned Income	\$1407.68
Less standard deduction	-\$198.00
Child Support paid	-\$130.00
Adjusted gross income	\$1079.68
SHELTER COSTS	
Rent	\$700.00
SUA	+\$912.00
Total shelter costs	\$1612.00
SHELTER HARDSHIP	
Shelter costs	\$1612.00
Less 50% of adjusted gross income	-\$539.84
Total shelter hardship	\$1072.16 <small>(Cannot exceed \$672 unless elderly or disabled)</small>
ADJUSTED NET INCOME	
Adjusted gross income	\$1079.68
Less shelter hardship	-\$1072.16
Net Adjusted Income (NAI)	\$7.52
BENEFIT CALCULATION	
Thrifty Food Plan for one	\$291.00
Less 30% of NAI	-\$3.00
SNAP award	\$288.00

The Department correctly calculated the Appellant's monthly SNAP benefit amount of \$288.00 effective [REDACTED] 2024.

DECISION

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

Scott Zuckerman
Scott Zuckerman
Hearing Officer

Pc: Katarzyna Olechowska, Operations Manager, DSS, Waterbury Office
Randalynn Muzzio, Operations Manager, DSS, Waterbury Office
Alex Sirios, Operations Manager, DSS, Waterbury Office
Jennifer Miller, Fair Hearing Liaison, DSS, Waterbury 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 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.