



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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CAROLE JOHNSON
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 18-017069 P.T.

AGENCY DKT. NO. C067778015 (OCEAN COUNTY BOARD OF SOC. SVCS.)

On or about August 20, 2018, Petitioner submitted a request for an Administrative Review to the Division of Family Development, Bureau of Administrative Review and Appeals ("BARA"), contesting the correctness of the Respondent Agency's ("Agency") receipt of her Supplemental Security Income ("SSI") benefits interim check as recoupment for the public assistance provided to her while she awaited an SSI benefits eligibility determination.

As the Director of the Division of Family Development ("DFD"), Department of Human Services, I reviewed this matter and I hereby AFFIRM the Agency's action.

In order for an Agency to grant public assistance to an individual who has applied, or is about to apply, for SSI benefits, the Agency shall first require that he or she sign the Work First New Jersey/General Assistance ("WFNJ/GA")-30 and WFNJ/GA-30A forms. See N.J.A.C. 10:90-14.5(c) and N.J.A.C. 10:90-1.2(f)(8)(i). These forms pertain to the client's obligation to repay the Agency for assistance, including Emergency Assistance ("EA") and EA/Temporary Rental Assistance ("TRA") benefits, granted during the interim pending the client's SSI initial or post-eligibility benefits entitlement. Additionally, N.J.A.C. 10:90-3.18(a)(2)(i) provides that retroactive SSI benefits payments are subject to recoupment so that the assistance provided during the pendency of the SSI benefits matter can be repaid. Furthermore, a contractual agreement between the State of New Jersey and the Social Security Administration ("SSA") ensures that the SSI benefits interim checks are submitted to the appropriate welfare agency for reimbursement of the individual's welfare benefits. Specifically, N.J.A.C. 10:90-14.5(a) provides that "[a] contractual agreement between the [SSA] and the State of New Jersey provides for reimbursement to DFD for assistance granted to individuals while awaiting an initial SSI eligibility determination[.]"

On October 3, 2018, BARA sent letters to the Agency and Petitioner requesting additional information necessary to complete an Administrative Review. The Agency provided additional requested necessary documentation.



A review of the documents submitted demonstrates that in August of 2018, the SSA issued its decision on Petitioner's application for SSI benefits, finding that Petitioner was eligible for SSI benefits as of August of 2017. See Confirmation of IA Payments Submitted. As such, Petitioner began receiving monthly recurring SSI benefits payments in August of 2018. Ibid. The record further shows that Petitioner would be entitled to a total lump-sum SSI benefits interim payment in the amount of \$10,500.55. See Summary of Interim Assistance Payments and IA Reimbursement Details. This amount represents the retroactive SSI benefits payment that Petitioner would have received from the date that Petitioner was declared eligible for SSI benefits, until she began receiving her recurring monthly SSI benefits payments in August of 2018. Ibid.; see also Repayment of Interim Assistance Authorization, WFNJ/GA-31.

The documents further demonstrate that Petitioner received public assistance from the Agency during the time that she was seeking SSI benefits. See Summary of Interim Assistance Payments and IA Reimbursement Details. Specifically, Petitioner was receiving WFNJ benefits during the months of September 2017, through July 2018. Ibid; see also N.J.A.C. 10:90-3.17(a)(1). During that time period, Petitioner received \$9760.56 in WFNJ assistance. See Summary of Interim Assistance Payments and IA Reimbursement Details. Since Petitioner received public assistance while her SSI matter was pending, the SSA sent Petitioner's lump-sum SSI benefits interim check, in the amount of \$9760.56, directly to the Agency so that it could be reimbursed for the assistance it had provided to Petitioner between Petitioner's SSI benefits eligibility date and the month prior to when Petitioner began receiving her first monthly recurring SSI benefits payment. See Repayment of Interim Assistance Authorization, WFNJ/GA-31; see also Summary of Interim Assistance Payments. The Agency received the interim check because Petitioner had signed "Authorizations for Reimbursement of Initial Supplemental Security Income (SSI) Payment or Initial SSI Post-eligibility Payment," as well as "Agreements to Repay," on May 21, 2018. See WFNJ/GA-30 and WFNJ/GA-30A forms.

Based upon the foregoing, I find that the Agency's recoupment of Petitioner's \$9760.56 lump-sum SSI benefits interim check was correct. The documentation in this matter clearly shows that Petitioner received a total of \$9760.56 in public assistance during the time period that she was seeking SSI benefits eligibility.

Therefore, based upon applicable regulatory authority, and in accordance with documentation signed by Petitioner, acknowledging the responsibility to repay the Agency for the total amount of public assistance received after Petitioner was deemed eligible for SSI benefits, I find that the Agency properly recouped the lump-sum SSI benefits interim payment of \$9760.56, and I hereby AFFIRM that action.

Accordingly, the Agency's action is AFFIRMED.

DEC 21 2018

Officially approved final version.

Natasha Johnson
Director

