



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT

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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 03994-19 S.H.

AGENCY DKT. NO. C524626002 (BERGEN COUNTY BD. OF SOC. SVCS.)

Petitioner appeals the Respondent Agency's termination of his Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits due to his failure to comply with the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 9, 2019, the Honorable Evelyn J. Marose, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents. Additional information as to Petitioner's employment was received on April 17, 2019, and the record then closed.

On April 18, 2019, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that on December 26, 2018, Petitioner applied for SNAP and Work First New Jersey/ General Assistance ("WFNJ/GA") benefits. See Initial Decision at 2. Petitioner was provided with SNAP benefits in anticipation that he would attend and complete the mandatory SNAP Employment and Training Program. *Id.* at 2-3; see also N.J.A.C. 10:87-10.1(a). On December 31, 2018, Petitioner was referred for a 28-day WFNJ/GA work protocol orientation, scheduled to begin on January 3, 2019. *Id.* at 3; see also Exhibit R-11. However, Petitioner failed to appear for the work activity on that date. See Initial Decision at 2; see also Exhibit R-10. Accordingly, the Agency denied Petitioner's application for WFNJ/GA benefits for failing to comply with the mandatory requirements and conditions of the WFNJ/GA 28-day work protocol, without good cause for doing so. See Initial Decision at 4; see also N.J.A.C. 10:90-2.2(a)(2), -4.11. It should be noted that Petitioner is not appealing the Agency's denial of his application for WFNJ/GA benefits. See Initial Decision at 3.

On January 23, 2019, the Agency notified Petitioner that, in order to continue receiving SNAP benefits, he was required to attend a SNAP Employment and Training Program, scheduled for January 28, 2019. *Id.* at 2; see also Exhibit R-9, and N.J.A.C. 10:87-10.4(b)(1), (2). Petitioner did not attend the SNAP Employment and Training Program, and did not contact the Agency regarding his absence. See Initial Decision 3, 4; see also Exhibit R-10. On February 26, 2019, the Agency notified Petitioner that his SNAP benefits would be terminated effective April 1, 2019, for failing to comply with the mandatory work registration requirement. See Initial Decision at 4; see also Exhibit R-6, and N.J.A.C. 10:87-10.1,



-10.15. The Agency also advised Petitioner that his disqualification from receiving SNAP benefits was for the later of one month, or until such time he comes into compliance with SNAP the work activity requirement. See Initial Decision at 4; see also Exhibit R-6, and N.J.A.C. 10:87-10.16(a)(1).

Petitioner testified that he experienced some difficulty reading correspondence sent to him by the Agency, and did not inform the Agency of this difficulty, or ask what the substance of the correspondence was. Id. at 5. The ALJ found, however, that Petitioner was aware that in order to continue to qualify for SNAP benefits, he was required to complete a work program, and that although he experienced difficulty in reading correspondence from the Agency, he could have sought assistance from someone to read the Agency's correspondence to him. Id. at 5, 7. Accordingly, the ALJ concluded that, as Petitioner failed to comply with the work registration requirement, without good cause for doing so, the Agency's decision to terminate Petitioner's SNAP benefits, until such time Petitioner comes into compliance, was correct and must stand. See Initial Decision at 7; see also Exhibit R-6, and N.J.A.C. 10:87-10.4(b)(2), (c)(3). I agree.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's action is hereby AFFIRMED.

Officially approved final version.

Natasha Johnson
Director

MAY - 7 2019

