



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716
TRENTON, NJ 08625-0716

CAROLE JOHNSON
Commissioner

SHEILA Y. OLIVER
Lt. Governor

NATASHA JOHNSON
Assistant Commissioner

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 20-033632 C.Y.

AGENCY DKT. NO. C183787004 (CAMDEN COUNTY BOARD OF SOC. SVCS.)

On or about July 29, 2020, Petitioner submitted a request for an Administrative Review that was received in the Division of Family Development ("DFD"), Bureau of Administrative Review and Appeals ("BARA"). Petitioner contests 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 Assistant Commissioner, 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 August 6, 2020, BARA sent letters to the Agency in Camden County, and to Petitioner requesting additional information necessary to complete an Administrative Review. Both parties responded accordingly. Additional documentation was provided by Petitioner on August 15, 2020, and August



18, 2020. The documentation provided by Petitioner and the Agency is sufficient to conduct this Administrative Review, and comprises the record in this matter.

A review of the documents submitted reflects that in July of 2020, Petitioner was deemed eligible for SSI benefits, retroactive to February 1, 2020. See Repayment of Interim Assistance ("IA") Authorization (hereinafter, "WFNJ/GA-31"). Since Petitioner had received public assistance, specifically, WFNJ/GA cash assistance and EA benefits in the form of shelter while her SSI matter was pending, the SSA sent Petitioner's lump-sum SSI benefits interim check in the amount of \$2,831.55 directly to the Agency, so that it may be reimbursed for the assistance it had provided to Petitioner between her retroactive SSI eligibility date of February 1, 2020, and June, 2020, the month prior to when Petitioner began receiving her first monthly recurring SSI benefits payment. Ibid.; see also IA Reimbursement Details. The record further demonstrates that, during the period of February, 2020, through June, 2020, Petitioner received a total of \$7,186.00 in assistance benefits, including \$1,302.00 in cash benefits, and \$5,884.00 in EA benefits. See Summary of IA Payments and GAAS payment history. The total amount of SSI benefits Petitioner could have received during that time period, from February, 2020, through June, 2020, had she been approved during that time, totaled \$2,831.55. See Summary of IA Payments, and IA Reimbursement Details. Since Petitioner had received public assistance while her SSI matter was pending, the SSA sent Petitioner's total retroactive lump-sum SSI benefits interim payment, in the amount of \$2,831.55, 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, February 1, 2020, and June 1, 2020, the month prior to when Petitioner began receiving her first monthly recurring SSI benefits payment. Ibid. The Agency received the interim check because Petitioner had signed an "Authorization for Reimbursement of Initial Supplemental Security Income (SSI) Payment or Initial SSI Post-eligibility Payment," as well as an "Agreement to Repay Assistance from Initial SSI Payment," on December 18, 2019. See WFNJ/GA-30 and WFNJ/GA-30A forms.

Based upon the foregoing, I find that the Agency's recoupment of Petitioner's \$2,831.55 retroactive lump-sum SSI benefits interim check was correct. The documentation in this matter clearly shows that Petitioner received a total of \$7,186.00 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 Petitioner's retroactive lump-sum SSI benefits interim payment in the amount of \$2,831.55, and I hereby AFFIRM that action.

Accordingly, the Agency's action is AFFIRMED.

SEP 24 2020

Officially approved final version.

Natasha Johnson
Assistant Commissioner

