



State of New Jersey

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Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT

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Commissioner

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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 13816-19 D.H.

AGENCY DKT. NO. S911437009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner challenges the correctness of the Respondent Agency's ("Agency") receipt of his Supplemental Security Income ("SSI") benefits interim check as recoupment for the public assistance provided to him while he awaited an SSI benefits eligibility determination. The matter was originally transmitted to the Office of Administrative Law ("OAL") for a hearing on the correctness of the recoupment of the lump-sum SSI benefits. After several scheduled hearing dates in October, 2019, the matter was rescheduled before the Honorable Julio C. Morejon, Administrative Law Judge ("ALJ") for a hearing on December 5, 2019. The record remained open for the Agency to obtain a copy of a necessary document containing Petitioner's signature. Petitioner then contested the signature on the document, and the case was then rescheduled for January 9, 2020. Thereafter, on January 9, 2020, the Bureau of Administrative Review and Appeals ("BARA") revised the case transmittal to OAL, indicating that the matter should be heard only with respect to the calculations of the amount owed. The revised transmittal further stated that, if Petitioner was contesting owing the money in general, an Administrative Review would need to be requested by Petitioner. Also on that date, the Agency representative stated that it had requested that the Division of Family Development ("DFD") conduct an Administrative Review on the matter, in accordance with N.J.A.C. 10:90-9.2. On January 21, 2020, DFD confirmed the Agency and Petitioner's request for an Administrative Review in the matter.

On March 6, 2020, this office issued a Final Agency Decision in Petitioner's Administrative Review, affirming the correctness of the Agency's recoupment of Petitioner's retroactive lump-sum interim SSI benefits. See Exhibit J-2.

On September 16, 2020, the ALJ issued an Initial Decision, reviewing the procedural history and the facts in this case, and concluding that, while OAL originally had jurisdiction in this case, with the issuance of a Final Agency Decision as a result of Petitioner's Administrative Review, the OAL no longer retained jurisdiction, and the matter was to be returned to DFD. I agree, as a full and complete review of the facts, evidence and applicable law occurred through Petitioner's Administrative Review. As such, the issues in this case have been fully disposed of, and this matter is dismissed with prejudice.



No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, DFD, Department of Human Services, I have reviewed the record in this matter and I hereby ADOPT the Initial Decision.

Accordingly, the Initial Decision is hereby ADOPTED, and this case is dismissed, with prejudice.

Officially approved final version. SEP 29 2020

Natasha Johnson
Assistant Commissioner

