



State of New Jersey

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DIVISION OF FAMILY DEVELOPMENT

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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 20-036631 K.B.

AGENCY DKT. NO. R1785827 (COMMUNITY CHILD CARE SOLUTIONS)

On or about December 1, 2020, the Bureau of Administrative Review and Appeals ("BARA") received Petitioner's request for an Administrative Review. Petitioner disputes the Respondent Agency's ("Agency") termination of her New Jersey Cares for Kids/Child Care Assistance Program ("NJCK/CCAP") child care subsidy application on redetermination.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed this matter, and hereby DISMISS this matter, as outlined below.

It is well-established that parents receiving subsidized child care services are in need of those child care services to remain employed, accept full-time employment, or to attend full-time educational and/or work/training programs. See N.J.A.C. 10:15-5.2(b) and -5.3(a). Full-time employment (for child care eligibility) during a Redetermination means employment that totals 25 or more hours per week. See Child Care Operations Manual, III, General Provisions, (c) "Definitions"; see also N.J.A.C. 10:15-1.2, and DFD Instruction ("DFDI") 10-1-4. In the child care program, income is defined as the current gross income earned by all members of the family unit. See Child Care Operations Manual, III, General Provisions, section (c), "Definitions." It includes all earned and unearned income, and includes wages from salaries, overtime, tips, bonuses, commissions, winnings, and the like. See DFDI 09-6-6. A parent/applicant in receipt of subsidized child care services must provide the documentation and verification of eligibility requirements for the child care service program(s). See N.J.A.C. 10:15-2.7(a)(1).

A family may be granted one Temporary Change period of up to three months, once during a 12-month eligibility period. See DFDI 17-04-02. A Temporary Change is a condition, lasting for up to three months, when one of the following situations applies: (1) a time-limited absence from work for an employed parent for periods of family leave or medical leave; (2) an interruption in work for a seasonal worker who is not working between regular industry work seasons; (3) a student holiday or break for a parent participating in training or education; (4) a reduction in work, training or education hours, as long as the parent is still working or attending a training or education program; or (5) a cessation of work or attendance at a training or education program. Ibid. If a family experiences one of the above qualifying temporary changes in circumstances during their eligibility period, they will remain eligible to receive



the subsidy for three months. Ibid. Families that are not engaged in a work, school, or training activity when the Temporary Change period ends are no longer eligible for a child care subsidy. Ibid.

On December 11, 2020, BARA sent letters to Petitioner and the Agency requesting additional information necessary to conduct an Administrative Review. On December 31, 2020, the Agency responded by providing a copy of Petitioner's file. Petitioner did not respond.

The documentation provided establishes that on October 27, 2020, Petitioner filed an application for redetermination of eligibility for the NJCK/CCAP subsidy. On October 29, 2020, the Agency became aware of a second adult living in the household, and requested that Petitioner add the second adult to the application, and provide one month of paystubs for the second person. The Agency also requested that Petitioner write a letter explaining the relationship that the second person has to the Petitioner and Petitioner's children. On November 12, 2020, Petitioner, via letter, advised the Agency that there is only one adult and two children in the household. Petitioner also notified the Agency that her work hours had been reduced.

On November 18, 2020, Petitioner provided a Notification of Change Form, confirming that her employment hours were reduced. The Notification of Change form also indicated that since October 1, 2020, there was an eligible dependent over the age of 18 in the household, increasing the size of the household to four persons. On November 19, 2020, the Agency determined that Petitioner had experienced a Temporary Change in circumstance during her eligibility period, specifically, a reduction in work hours, and therefore, temporarily approved her to receive the NJCK/CCAP subsidy through January 31, 2021. See DFDI 17-04-02 at 2-3.

This office has been advised by the Agency, and confirmed, that Petitioner is now receiving a subsidy, and that Petitioner will continue to receive the NJCK/CCAP subsidy until November 30, 2021. Thereafter, Petitioner may reapply for a subsidy, should her circumstances warrant.

Accordingly, as Petitioner is now receiving a subsidy, I find that her request for Administrative Review is now moot, and this matter is therefore DISMISSED.

FEB 25 2021

Officially approved final version.

Natasha Johnson
Assistant Commissioner

