



## State of New Jersey

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*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 **06491-20 C.V.**

AGENCY DKT. NO. **S463050014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner challenges the correctness of the Respondent Agency's calculation of her Supplemental Nutrition Assistance Program ("SNAP") benefits, at recertification. Petitioner's SNAP benefits allotment was reduced at recertification due to a decrease on the household's allowable medical deduction. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 1, 2020, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On February 22, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have considered the ALJ's Initial Decision and following an independent review of the record, the ALJ's Initial Decision is hereby ADOPTED, and the Agency determination is AFFIRMED, based on the discussion below.

SNAP is designed to promote the general welfare and to safeguard the health and well-being of the population by raising the levels of nutrition among low-income households. See N.J.A.C. 10:87-1.1(a).

Regulatory authority applicable to SNAP benefit cases, defines income as "all income from whatever source unless such income is specifically excluded." See N.J.A.C. 10:87-5.3. Additionally, for SNAP benefits cases, unearned income includes survivors, disability, and Social Security benefits for both adults and children in the household. See N.J.A.C. 10:87-5.5(a)(2).

In order to determine an applicant's eligibility for SNAP, the applicant's income and resources must be below a certain threshold. N.J.A.C. 10:87-6.16 outlines the procedures used to calculate net income and benefit levels for SNAP recipients. The regulation provides that the applicant's monthly net income is determined by adding together all earned and unearned income, then subtracting all income exclusions. Then, the standard deduction, based upon the size of the household, is subtracted from the income.



Thereafter, the household is evaluated to determine if a medical deduction is appropriate, which is if the household has medical expenses that exceed \$35.00. If the household is entitled to a medical deduction, then the amount in excess of \$35.00 is subtracted from the applicant's income. Then, the applicant is evaluated for an excess shelter deduction. Such a deduction is permitted when the individual's shelter costs exceed 50% of their net income. If this deduction is allowable, then the difference between the shelter costs and the 50% net income, or up to the maximum allowable amount, is subtracted from the individual's income. The remaining figure is Petitioner's net income. This net income is then compared against the maximum allowable net income amount for the household's size, as outlined at N.J.A.C. 10:87-12.3, to determine eligibility. If eligible, the household's monthly SNAP allotment shall be equal to the maximum food stamp allotment for the household's size, reduced by 30 percent of the household's net monthly income. See N.J.A.C. 10:87-12.6(a)(1).

Here, an independent review of the record shows that Petitioner's household consists solely of Petitioner, and that, at the time in question this matter, July, 2020, the household's total monthly gross income was comprised of monthly unearned income in the amount of \$1,571 per month from Retirement, Survivors and Disability Insurance ("RSDI") benefits. See Initial Decision at 2; see also Exhibit R-1 at 2, 5, and N.J.A.C. 10:87-5.5(a)(2) and -6.16(b)(2), (3). A further review of the record reveals that the Agency correctly applied the appropriate deductions, including the standard deduction, in effect at the time, of \$167, the allowable medical deduction of \$126.37, and an excess shelter deduction of \$559.19, to arrive at the net SNAP income of \$718.44. See Exhibit R-1 at 5; see also DFD Instruction ("DFDI") 19-09-01 at 11. That amount is then multiplied by .3 and rounded up, or \$216. See N.J.A.C. 10:87-12.6(a)(1)(i)-(ii). That amount is then subtracted from the maximum benefit for a household of one in effect at the time, \$194 - \$216, resulting in a negative number. See N.J.A.C. 10:87-12.6(a)(1)(iii); see also DFDI 19-09-01 at 11. However, as a household of one person, Petitioner's household is eligible for the minimum allotment amount, which, at the time of the Agency's recertification in this matter, was \$16, and which was so reflected on the Agency's June 10, 2020, notice to Petitioner. See N.J.A.C. 10:87-12.6(a)(2); see also 7 CFR 273.10(e)(2)(ii)(C), DFDI 19-09-01 at 2, 11, and Exhibit R-1 at 8. Based on the foregoing, I concur with the ALJ's finding that the Agency properly reduced Petitioner's monthly SNAP benefits allotment in June, 2020, at recertification. See Initial Decision at 4; see also Exhibit R-1 at 8.

Accordingly, the Initial Decision in this matter is ADOPTED, and the Agency's determination is hereby AFFIRMED, as outlined above.

Officially approved final version. March 22, 2023

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Natasha Johnson  
Assistant Commissioner

