



## 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 **03774-23 C.W.**

AGENCY DKT. NO. **C130023008 (GLOUCESTER COUNTY DIV. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of her application for Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner had failed to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On May 26, 2023, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On June 6, 2023, the ALJ issued an Initial Decision, reversing the Agency's denial of SNAP benefits, and remanding the matter back to the Agency.

No Exceptions to the Initial Decision were filed.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby MODIFY the ALJ's Initial Decision, REVERSE the Agency's determination, and REMAND the matter to the Agency, based on the discussion below.

In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income, as well as residence and household composition. See N.J.A.C. 10:87-2.19, -2.20.

Here, the record reflects that Petitioner applied for SNAP benefits on November 18, 2022. See Initial Decision at 3. On December 13, 2022, the Agency sent Petitioner a Request Verification, seeking additional documentation and information necessary to determine eligibility, but indicating a submission deadline of November 16, 2022. *Id.* at 2. At the time of Petitioner's application for SNAP benefits, Petitioner disclosed that she had a pending workers compensation claim, and that she resided with her husband. *Id.* at 3. The Agency sent Petitioner a denial notice dated December 19, 2022. *Ibid.* While Petitioner did submit additional information on December 28, 2022, the Agency representative at the hearing indicated that it was unclear if any further clarifying information was requested from Petitioner with respect to the household's circumstances. *Ibid.* The ALJ in this matter issued a comprehensive



Initial Decision, outlining the procedural history, providing a detailed factual timeline, and rendering a well thought out analysis, applying law to fact. See Initial Decision at 3-5. While acknowledging that, in accordance with regulatory authority, the Agency must verify certain information to determine eligibility, nonetheless, Petitioner's credible testimony showed that there seemed to be conflicting information on Petitioner's application, and that, coupled with the confusing incorrect, backdated dates on the Request for Verification, the denial notice issued just several days thereafter, and no indication if Petitioner's submitted documentation on December 28, 2022, had been considered or if any outreach had been done to clarify the household's circumstances, the ALJ reversed the Agency determination, and remanded the matter to the Agency to reevaluate Petitioner's eligibility. Id. at 5. I agree with the ALJ ultimate conclusion, and therefore am remanding this matter back to the Agency. The Agency shall expedite the substantive evaluation of Petitioner's November 18, 2022, application for SNAP benefits, together with all submitted documentation, including that submitted on December 28, 2022. Based on that evaluation, if Petitioner is determined to be eligible for SNAP benefits, Petitioner is to then be provided with retroactive SNAP benefits to November 18, 2022, the date of application. See N.J.A.C. 10:87-8.18. Should the substantive evaluation result in another denial of SNAP benefits, Petitioner may request another fair hearing on that substantive denial. The Initial Decision is modified to reflect these findings.

Accordingly, the Initial Decision in this matter is MODIFIED, the Agency's determination is hereby REVERSED, and the matter is REMANDED back to Agency, as outlined above.

Officially approved final version. July 12, 2023

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Natasha Johnson  
Assistant Commissioner

