



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **07699-20 M.V.**

AGENCY DKT. NO. **S457058014 (MORRIS CO. OFFICE OF TEMP ASSISTANCE)**

Petitioner, in his capacity as executor of the estate of M.V., seeks to have the SNAP benefits case of his deceased parents, M.V. and P.V., reopened in order to obtain the value of the unused benefits that had been issued to them. Petitioner was deemed ineligible to receive and reopen the SNAP benefits case and requested an appeal. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 8, 2020, the Honorable Andrew M. Baron, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On March 21, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the facts in this matter reveal that Petitioner's parents were receiving SNAP benefits in the amount of \$112 a month, when Petitioner's mother passed away. See Initial Decision at 2; see also Exhibit R-1. A few months later, Petitioner's father, P.V., also passed away. *Ibid.* Petitioner, who was his parents' caregiver prior to their deaths, is also the executor of M.V.'s estate, and seeks to reopen his parents' SNAP benefits case and collect the value of the unused SNAP benefits at the time of their deaths in the amount of \$336. See Initial Decision at 2-3. The ALJ found that there exists no legal authority by which a third party may collect the value of the unused benefits when the intended benefits recipients are both deceased. *Id.* at 3-4; see also N.J.A.C. 10:87-9.5(k)(2). Accordingly, the ALJ affirmed the Agency's determination to deny the request to reopen the SNAP benefits case. *Ibid.* I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.



Officially approved final version. May 09, 2023

Natasha Johnson
Assistant Commissioner

