



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 12896-23 T.K.

AGENCY DKT. NO. **S535092012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/Temporary Assistance for Needy Families ("WFNJ/TANF") and Emergency Assistance ("EA") benefits, and the termination Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner WFNJ/TANF benefits, contending that Petitioner had failed to provide requested documentation necessary to determine WFNJ/TANF benefits, and denied Petitioner EA benefits because she was neither a WFNJ, nor a Supplemental Security Income ("SSI"), benefits recipient. The Agency terminated Petitioner's SNAP benefits, contending that she had failed to provide requested documentation and verifications necessary to determine SNAP eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 22, 2023, the Honorable Joan M. Burke, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. On November 24, 2023, the ALJ issued an Initial Decision, affirming the Agency's determinations in part, and remanding in part.

No Exceptions to the Initial Decision were received.

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 ADOPT the ALJ's Initial Decision, AFFIRM the Agency's determinations with respect to the denial of WFNJ/TANF and EA benefits, and REMAND the SNAP issue 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. See N.J.A.C. 10:87-2.19, -2.20.

Here, the ALJ found, and the record substantiates, that Petitioner failed to timely provide the Agency with the documentation required to determine her eligibility for WFNJ/TANF benefits, and as such, the ALJ concluded that Petitioner was ineligible for WFNJ/TANF benefits. See Initial Decision at 2, 4-7; see also Exhibit R-A at 13-14, and N.J.A.C. 10:90-2.2(a)(5). The ALJ also found, that because Petitioner was ineligible for WFNJ/TANF benefits, and was not an SSI benefits recipient, that she was also ineligible for



EA benefits. See Initial Decision at 3, 8; see also Exhibits R-6, R-9, and N.J.A.C. 10:90-6.2(a). Based on the foregoing, the ALJ concluded that the Agency's denial of WFNJ/TANF and EA benefits to Petitioner was proper and must stand. See Initial Decision at 8-9; see also Exhibits R-D, R-7. I agree.

Further, the record reveals that Petitioner filed an application for SNAP benefits on October 6, 2023, and was provided with expedited SNAP benefits. See Initial Decision at 2; see also Exhibit R-A at 14. However, on October 30, 2023, the Agency advised Petitioner, in writing, of certain verifying documentation required to be provided to the Agency within 10 days from the date of said notice, in order to determine continued eligibility for SNAP benefits. See Initial Decision at 3-4, 7-8; see also Exhibit R-2, and N.J.A.C. 10:87-2.19, -2.20, -2.30(a)(3). The record reflects that Petitioner had failed to timely provide all of the requested documentation to the Agency, and accordingly, the ALJ found that the Agency had properly terminated Petitioner's SNAP benefits, as it was unable to determine Petitioner's continued eligibility for siad benefits. See Initial Decision at 3-8; see also Exhibit R-F. However, because Petitioner had provided the required documentation at the time of the hearing, the ALJ remanded the issue to the Agency to reevaluate Petitioner's eligibility for continued SNAP benefits. See Initial Decision at 4, 8-9; see also Exhibits R-B, R-E, and N.J.A.C. 10:87-2.15, -2.16. I agree.

By way of comment, Petitioner is advised that should she be determined ineligible for continued SNAP benefits, based on the evaluation of the submitted documentation for eligibility, she may request another fair hearing on that substantive review and denial alone.

By way of further comment, Petitioner is advised that she may reapply for WFNJ/TANF and EA benefits, but must timely provide the Agency with all requested documentation needed to determine her eligibility for said benefits. See N.J.A.C. 10:90-2.2(a)(5).

Accordingly, the Initial Decision in this matter is ADOPTED, the Agency's determinations with respect to WFNJ/TANF and EA are hereby AFFIRMED, and the SNAP issue is REMANDED back to Agency for action, as outlined above.

Officially approved final version. December 05, 2023

Natasha Johnson
Assistant Commissioner

