



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 **10918-22 T.R.**

AGENCY DKT. NO. **C145500001 (ATLANTIC CO. DEPT OF FAM. & COM. DEV)**

Petitioner appeals from the Respondent Agency's denial of his 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 January 6, 2023, the Honorable Jeffrey N. Rabin, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On January 25, 2023, the ALJ issued an Initial Decision, affirming the Agency's determination.

No Exceptions to the Initial Decision were received.

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, I hereby ADOPT the Initial Decision, and AFFIRM the Agency determination, based on the discussion below.

As a result of The Consolidated Appropriations Act, 2021, signed into law on December 27, 2020, eligibility for NJ SNAP benefits was temporarily expanded for students, between the ages of 18 and 49, who were enrolled at least half-time in an institution of higher education, and either were eligible to participate in a federal or state work study program, or who had an expected family contribution of \$0 in the current academic year. See DFD Instruction ("DFDI") 21-02-05 at 1-3. In order to be eligible under the temporary expanded category, documentation must be provided to verify said eligibility. *Id.* at 7-8. Verification of expected family contribution may be found on a financial aid award letter or Student Aid Report ("SAR"). *Id.* at 8. These requirement continued to be in force at the time of Petitioner's application in this matter. See DFDI 22-07-02 at 3, 9.

Here, the record reveals that Petitioner is a college student, who lives on campus and applied for SNAP benefits on September 6, 2022. See Initial Decision at 2; see also Exhibit R-1 at 29-38. Thereafter, the Agency sent Petitioner a Request for Verification, seeking, amongst other things, a copy of Petitioner's SAR, which is necessary to determine Petitioner's eligibility as a college student under the temporary expanded student eligibility category. See Initial Decision at 2; see also Exhibit R-1 at 39, and DFDI 22-07-02 at 9. When the Agency did not receive the required documentation, on October 6, 2022,



the Agency denied Petitioner's application for SNAP benefits. See Initial Decision at 2; see also Exhibit R-1 at 1-2, and N.J.A.C. 10:87-3.14 and DFDI 22-07-02. As outlined above, in order for a college student to be eligible for SNAP benefits under the temporary expanded category, verification of either work study participation, or expected family contribution of \$0 is required. See DFDI 22-07-02 at 3, 9. Without said verification of required information, SNAP eligibility cannot be determined or granted. Ibid. Despite assertions that Petitioner had provided the SAR to the Agency, no evidence was presented to substantiate same. See Initial Decision at 3-4. Based on the foregoing, the ALJ concluded that Petitioner had not provided the information required to determine Petitioner's eligibility, and as such, the Agency's denial of SNAP benefits to Petitioner was proper and must stand. See Initial Decision at 6. I agree.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits, but must provide all information and documentation requested in order to determine eligibility.

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

Officially approved final version. February 14, 2023

Natasha Johnson
Assistant Commissioner

