



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

SARAH ADELMAN
Commissioner

SHEILA Y. OLIVER
Lt. Governor

TRENTON, NJ 08625-0716

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 **00366-23 T.W.**

AGENCY DKT. NO. **S928969009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's termination and closure of her Supplemental Nutritional Assistance Program ("SNAP") benefits case. The Agency terminated, and then closed, Petitioner's SNAP benefits case because Petitioner's certification period had ended, the Agency was unable to locate Petitioner, and no required interview, necessary for the continuation of SNAP benefits, beyond the certification end date, had occurred. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On March 9, 2023, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents. The record was held open until April 4, 2023, for submission of documentation referenced by the Agency during the hearing, and then closed on that date. On April 5, 2023, the ALJ issued an Initial Decision, affirming the Agency's termination.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development ("DFD"), Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision and AFFIRM the Agency's determination, 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. See N.J.A.C. 10:87-2.19, -2.20.

N.J.A.C. 10:87-6.3(b) states, "If an application for recertification is submitted after the household's certification period has expired, that application shall be considered an initial application and benefits for that month shall be prorated in accordance with N.J.A.C. 10:87-6.2(c)."

N.J.A.C. 10:87-9.1 states, "No household may participate [in SNAP] beyond the expiration of the certification period assigned in accordance with N.J.A.C. 10:87-6.20 without a determination of eligibility for a new period. Households shall apply for recertification and shall comply with interview and verification requirements."



Based on an independent review of the record, it appears that Petitioner applied for SNAP benefits on May 24, 2022. See Exhibit R-1. Petitioner was thereafter approved for SNAP benefits. See Initial Decision at 3. On July 27, 2022, Petitioner was sent a notice advising that her certification period would end on October 31, 2022, and that to continue receipt of SNAP benefits, Petitioner would need to reapply for SNAP benefits, no later than October 15, 2022. See Exhibit R-4 at 1. Petitioner acknowledges receiving that notice. See Initial Decision at 3. On October 10, 2022, the Agency tried several times to reach Petitioner via telephone, but was unsuccessful. See Exhibit R-3. On October 20, 2022, the Agency sent Petitioner another notice advising that her SNAP benefits would terminate, effective October 31, 2022, because the Agency had unable to locate Petitioner, and/or verify her residence. See Exhibits R-2 and R-4 at 2. Petitioner contends that the number the Agency attempted to contact her at was not a current number, nor was it a number she utilized. See Initial Decision at 4. Petitioner has since reapplied for SNAP benefits, and has been receiving same, effective January 1, 2023. See Initial Decision at 5. Based on the evidence presented, the ALJ concluded that Petitioner had not provided the requisite verification information needed for the continuation of SNAP benefits, and as such, the Agency's termination of Petitioner's SNAP benefits and closure of her case, effective October 31, 2022, was proper and must stand. See Initial Decision at 6. I agree.

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

Officially approved final version. June 06, 2023

Natasha Johnson
Assistant Commissioner

