



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

Division of Family Development
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Director
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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 19069-15 I.F.

AGENCY DKT. NO. C148728 (MONMOUTH COUNTY DIV. OF SOC. SVCS)

Petitioner challenges the correctness of Respondent Agency's calculation of her Supplemental Nutrition Assistance Program ("SNAP"), f/k/a the Food Stamp Program, benefits on recertification. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 4, 2016, the Honorable Joseph A. Ascione, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On January 15, 2016, the ALJ issued his Initial Decision which affirmed the Agency's calculation of Petitioner's benefits. The issue in this case involves the date of submission of Petitioner's Interim Reporting Form ("IRF"). The Agency states that Petitioner's IRF was received by the Agency on October 6, 2015, and therefore, Petitioner's SNAP benefits were prorated at \$161.00 instead of \$194.00 to reflect the exclusion of benefits from October 1 through October 5. See Initial Decision at 2; see also N.J.A.C. 10:87-6.3(b). Petitioner argues she previously submitted the IRF on two prior occasions; however, there is no written documentation of the mailing or receipt of the documents from the Agency. See Initial Decision at 2. The ALJ found that Petitioner failed to provide evidence she submitted her IRF prior to October 6, 2015, and concluded the Agency appropriately prorated Petitioner's benefits. See Initial Decision at 4. I agree.

No Exceptions to the Initial Decision were filed.

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As the Director of the Division of Family Development, Department of Human Services, I have reviewed the Initial Decision and having made an independent review of the record in this matter, I hereby adopt the Findings of Fact and Conclusions of Law in this matter.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency determination in this matter is AFFIRMED.

Signed Copy on File
at DFD, BARA

JAN 29 2016

Natasha Johnson
Director