



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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TRENTON, NJ 08625-0716

NATASHA JOHNSON
Director

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 09323-18 D.S.

AGENCY DKT. NO. S904677009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner challenges the correctness of Respondent Agency's reduction of her Supplemental Nutrition Assistance Program ("SNAP") benefits, from \$160 per month, to \$15 per month, at recertification. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On July 19, 2018, the Honorable Kimberly A. Moss, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents into evidence.

On July 20, 2018, the ALJ issued an Initial Decision, modifying the Agency's determination. Here, the record reflects that Petitioner went for recertification of SNAP benefits in June 2018. See Initial Decision at 2. The Agency calculated Petitioner's monthly unearned income as \$1,186, which was comprised of child support income received during the last available month before recertification, specifically, May 2018. *Ibid.*; see also Exhibits R-1, R-2, and N.J.A.C. 10:87-5.5(a)(5), -6.16(b). The ALJ found, however, that Petitioner's monthly unearned income was \$1,052, which represented the average monthly income Petitioner had received from child support payments for the months of March 2018, through May 2018. See Initial Decision at 2; see also Exhibit R-2, and N.J.A.C. 10:87-2.19(l)(3), -6.9(b)(2), (f)(1). The ALJ further found that Petitioner's modified monthly benefit amount was \$22, based upon Petitioner's net monthly income totaling \$1,052, instead of \$1,186 as determined by the Agency. See Initial Decision at 4; see also N.J.A.C. 10:87-12.6. Based on the foregoing, the ALJ concluded that Petitioner is entitled to receive \$22 per month in SNAP benefits, and that her SNAP benefits should commence in June 2018. See Initial Decision at 5. Based upon an independent review of the record, I agree. The Agency's determination is modified to reflect same.

No Exceptions to the Initial Decision were filed by either party.

As the Director of the 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 decision and hereby adopt the Findings of Fact and Conclusions of Law in this matter.

Accordingly, the Initial Decision in this matter is hereby ADOPTED and the Agency's determination is MODIFIED.



Officially approved final version.

AUG - 7 2018

Natasha Johnson

Director

