



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 12700-18 K.B.

AGENCY DKT. NO. S782105009 (HUDSON COUNTY DEPT OF FAM SVCS)

Petitioner appeals the Respondent Agency's termination of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency terminated Petitioner's SNAP benefits due to non-compliance with the required work activity. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 20, 2018, the Honorable Gail M. Cookson, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On September 21, 2018, the ALJ issued an Initial Decision affirming the Agency's determination. Here, the record reflects that on June 27, 2018, Petitioner, an able-bodied adult without dependents ("ABAWDS") SNAP benefits recipient, appeared for his mandated work activity requirement, and was advised that he must provide a doctor's note in order to be exempted from the work activity. See Initial Decision at 2; see also Exhibit R-1 at 1, and N.J.A.C. 10:87-10.20(a), (c)(3). Petitioner was provided a second appointment date, specifically, July 18, 2018, to attend his work activity appointment, but did not attend, and could not be located. See Initial Decision at 3, see also Exhibit R-1 at 2. As a result, on July 31, 2018, the Agency notified Petitioner that his SNAP benefits would be terminated, effective August 31, 2018, for failing to participate in a work activity. *Ibid.*, see also Exhibit R-1 at 4, and N.J.A.C. 10:87-10.20(a).

On or about August 7, 2018, Petitioner provided a handwritten letter from a chiropractor requesting that the Agency "take into consideration [Petitioner's] expressed limitations in performing physical work." See Initial Decision at 2; see also Exhibit P-1. The ALJ found that Petitioner had obtained the note from his chiropractor so as to comply with the requirement that he must provide a doctor's note in order to be exempted from the mandatory work activity. See Initial Decision at 3; see also N.J.A.C. 10:87-10.2(b)(4). Further, the ALJ found that the chiropractor's note was insufficient, as it provided no information as to Petitioner's medical condition and the duration of any period of disability. See Initial Decision at 4; see also N.J.A.C. 10:87-10.2(b)(4)(i)(3) (stating that "a statement from a chiropractor shall not be considered as evidence of capacity.") Based on the foregoing, the ALJ concluded that Petitioner was not exempt from the mandatory work activity and that the Agency's termination of Petitioner's SNAP



benefits was proper and must be affirmed. See Initial Decision at 4, see also Exhibit R-1 at 4, and N.J.A.C. 10:87-3.16, 10.2(b)(4)(i)(3), -10.20(c)(3). I agree.

No Exceptions to the Initial Decision were filed.

As the Director of the Division of Family Development, Department of Human Services, I have considered the record in this matter and the ALJ's Initial Decision and I concur with the ALJ's decision and hereby adopt the Findings of Fact and Conclusion of Law in this matter.

By way of comment, Petitioner is without prejudice to re-apply for SNAP benefits, but is advised that he will need to provide required medical documentation, as discussed above, to be exempted from the required work activity.

By way of further comment, the Agency should assist Petitioner in applying for Work First New Jersey/ General Assistance ("WFNJ/GA") and Emergency Assistance ("EA") benefits, if it has not already done so.

Accordingly, the Initial Decision in this matter is ADOPTED and the Agency's actions are hereby AFFIRMED.

Officially approved final version. **OCT 15 2018**

Natasha Johnson
Director

