



*State of New Jersey*

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*Governor*

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**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

REMAND DECISION

OAL DKT. NO. HPW 17555-17 S.B.

AGENCY DKT. NO. C687046007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner challenges the correctness of Respondent Agency's calculation of her Supplemental Nutrition Assistance Program ("SNAP") benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On December 20, 2017, the Honorable Ellen S. Bass, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence.

On the same day, the ALJ issued an Initial Decision, reversing the Agency's determination. The ALJ concluded that Petitioner receives \$1,030 per month in Retirement Survivor's and Disability Insurance ("RSDI") payments, \$46 per month in monthly pension disbursements and incurs monthly expenses of \$610 per month in rent, and \$40 per month in utilities. See Initial Decision at 2; see also Exhibit R-1 at 4. In November 2017, Petitioner was approved for receipt of SNAP benefits in the amount of \$15 per month. See Initial Decision at 2; see also Exhibit R-1 at 1. However, after a review of the Petitioner's paperwork, the Agency determined that Petitioner had inadvertently not been given credit for utility expenses for the months of November and December of 2017, and thereafter increased Petitioner's SNAP benefit allotment to \$107 per month, which reflected the inclusion of a utility deduction. See Initial Decision at 2. In addition, the Agency indicated that Petitioner's monthly RSDI payment was incorrectly listed as \$1,051, instead of the correct amount of \$1,030. *Ibid.*; see also Exhibit R-1 at 1.

Based on the record presented, the ALJ ordered the Agency to recalculate Petitioner's retroactive benefit amount for the months of November and December 2017 to include the correct RSDI amount of \$1,030 and a utility deduction. See Initial Decision at 3; see also N.J.A.C. 10:87-6.16. I agree and remand this matter to the Agency to perform said recalculations and issuance of retroactive benefits accordingly.

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, the Agency's determination is REVERSED, and the



matter is REMANDED to the Agency as outlined above.

Officially approved final version.

JAN 10 2018

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Natasha Johnson

Director

