



State of New Jersey

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DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
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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 **08059-22 C.D.**

AGENCY DKT. NO. **C143944006 (CUMBERLAND COUNTY BD OF SOC SVCS.)**

Petitioner appeals from the Respondent Agency's termination of Work First New Jersey/General Assistance ("WFNJ/GA"), and Supplemental Nutritional Assistance Program ("SNAP"), benefits at recertification. The Agency terminated Petitioner's WFNJ/GA and SNAP benefits, contending that Petitioner had failed to comply with program requirements necessary to determine continued eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On October 5, 2022, the Honorable William T. Cooper, III, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On October 26, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that the Agency sent Petitioner notice of a telephone conference pertaining to his continued benefits on June 15, 2022. See Initial Decision at 2, 5. The notice advised Petitioner that the required telephone interview was scheduled for July 14, 2022. Ibid. On that date, the Agency worker attempted to contact Petitioner, but was unsuccessful. Ibid. Petitioner was then sent another notice, advising of a rescheduled telephone interview for July 22, 2022. Ibid. Petitioner again did not appear for the second scheduled telephone interview, nor did he contact the Agency to advise that he could not attend. Ibid. Thereafter, on July 25, 2022, the Agency sent Petitioner a "Request for Contact," indicating that Petitioner must contact the Agency within 10 days. Ibid.; see also Exhibit R-1 at 11. Petitioner did not contact the Agency within the 10 day period, and as such, on August 5, 2022, the Agency sent Petitioner a notice terminating Petitioner's WFNJ/GA and SNAP benefits effective September 1, 2022. See Initial Decision at 2-3, 5; see also Exhibit R-1 at 2, 4. Petitioner then sent a fax to the Agency on August 8, 2022, stating that an Agency representative failed to call him on July 14, 2022, and that he had attempted to call the Agency representative himself, and was told he would get another letter, scheduling another telephone interview. See Initial Decision at 3, 5; see also Exhibit R-1 at 15. As a result of the received fax, the Agency representative again attempted to call Petitioner on August 15, 2022, and again without success. See Initial Decision at 3, 6. The Agency then sent Petitioner yet another notice, rescheduling the interview for August 22, 2022, this time in person, but Petitioner did not appear, nor did he contact the representative to reschedule. See Initial Decision at 3, 6. Petitioner acknowledged that he had received the notice, terminating his benefits, as well as the notice rescheduling the interview for August 22, 2022, and that he chose not to appear. Id. at 3-4,



6. Based on the foregoing and the testimonial evidence presented, the ALJ found that the Agency had complied with applicable regulatory authority in attempting to reach Petitioner to conduct the required interview, and therefore, the Agency's termination of Petitioner's WFNJ/GA and SNAP benefits was proper and must stand. Id. at 7-9; see also N.J.A.C. 10:90-2.2, -4.13, and N.J.A.C. 10:87-2.16, -2.18. I agree.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, 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 final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner is without prejudice to reapply for SNAP benefits in his current county of residence, but is reminded that he must comply with all program requirements, as well as provide all information and documentation requested, in order to determine eligibility.

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

Officially approved final version. November 9, 2022

Natasha Johnson
Assistant Commissioner

