



## State of New Jersey

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*Governor*

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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 **03262-22 E.M.**

AGENCY DKT. NO. **C027005017 (SALEM COUNTY BOARD OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's reduction of Petitioner's Supplemental Nutritional Assistance Program ("SNAP") benefits. Petitioner's SNAP benefits were reduced due to the Agency's determination of the applicability of certain medical deductions. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On September 6, 2022, the Honorable Tama B. Hughes, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. On October 12, 2022, the ALJ issued an Initial Decision, reversing the Agency's determination and remanding the matter to the Agency for recalculation of Petitioner's SNAP benefits.

No Exceptions to the Initial Decision were received.

As Assistant Commissioner, Division of Family Development, Department of Human Services, I have reviewed the ALJ's Initial Decision and the record, and I hereby ADOPT the ALJ's Initial Decision, and REVERSE the Agency's determination, and REMAND the matter to the Agency for further action, based on the discussion below.

State regulatory authority, N.J.A.C. 10:87-6.15(c), governing "Anticipated Medical Expenses," states, "If the household can provide verification as to the reasonableness of the anticipated expenses, then the expense will be allowed beginning at the time of certification." Further, subsection (d) of that provision directs that one-time medical expenses can elect to either have a one-time deduction, or have the expense averaged over the remaining months of the certification period.

The ALJ in this matter issued a very thorough and comprehensive Initial Decision, outlining the procedural history, and providing a detailed and well thought out analysis. Based upon an independent review of the lengthy record in this case, I concur with the ALJ's decision and hereby ADOPT the Findings of Fact and Conclusion of Law in this matter. Moreover, given the fact that a random review of some Medicare Summary Notices and Explanation of Benefits ("EOBs"), against those amounts actually paid to the providers, indicate the amounts are indeed the same, it is reasonable to accept EOB and/or Medicare Summary Notice as verification of an anticipated medical expense, as had been done in the past by the Agency. See Initial Decision at 10; see also N.J.A.C. 10:87-6.15(c). Therefore, I agree with



the ALJ that the matter should be remanded to the Agency for appropriate recalculation of the medical deductions in this case. See Initial Decision at 13-14.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is REVERSED, and the matter REMANDED to the Agency for action, as outlined above.

Officially approved final version. December 21, 2022

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Natasha Johnson  
Assistant Commissioner

