



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 **06334-22 L.H.**

AGENCY DKT. NO. **S581608012 (MIDDLESEX COUNTY BD. OF SOC. SVCS.)**

Petitioner appeals from the Respondent Agency's denial of her application for Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner had failed to provide information and documentation necessary to determine eligibility. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On August 19, 2022, the Honorable Judith Lieberman, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony and admitted documents. The record remained open for submission of additional documents by Petitioner and then closed later on August 19, 2022.

On August 26, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for SNAP benefits on April 7, 2022. See Initial Decision at 2; see also Exhibit R-1. Thereafter, on April 12, 2022, the Agency sent Petitioner a Notice of Verification, seeking information needed and documentation which was necessary to determine eligibility. See Initial Decision at 2; see also Exhibit R-2. On April 13, 2022, Petitioner was advised that she had been approved for one month of SNAP benefits on an expedited basis, and that when that one month certification period expired, Petitioner would need to provide the documentation to establish eligibility, which had been postponed due to expedited status. See Initial Decision at 3; see also Exhibit R-4. When the Agency did not receive all of the required documentation by the May 7, 2022 deadline, the Agency closed Petitioner's SNAP benefits case. See Initial Decision at 5; see also Exhibit R-4, and N.J.A.C. 10:87-2.19. Petitioner asserted that she had sent the requested documents to the Agency via facsimile, and that she had copies, which she was given the opportunity to submit to the ALJ following the conclusion of testimony at the hearing. See Initial Decision at 8. However, Petitioner did not provide all of the requested documentation, and some of the documents Petitioner provided were not dated, and as such, the ALJ was unable to conclude that the documentation had, in fact, been submitted prior to the May 7, 2022, deadline. *Ibid.* In order to determine eligibility for SNAP benefits, mandatory verification of certain information is required, such as household income, both earned and unearned income. See N.J.A.C. 10:87-2.19, -2.20. Without said verification of required information, SNAP eligibility cannot be determined or granted. *Ibid.* Based on the foregoing, the ALJ concluded that Petitioner had not provided all of the information required to be verified to determine eligibility beyond the expedited certification



period, and as such, the Agency's closure of Petitioner's SNAP benefits case was proper and must stand. See Initial Decision at 11-12; see also N.J.A.C. 10:87-2.19, -2.20. I agree.

Exceptions to the Initial Decision were received from Petitioner on September 26, 2022.

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, I have reviewed Petitioner's Exceptions, and find that the arguments made therein do not alter my decision in this matter. Additionally, Petitioner included a document with her Exceptions which was not presented to the ALJ at the hearing below. Petitioner is advised that evidence not presented at the hearing shall not be submitted as part of an Exception, or referred to in an Exception, and as such, may not be considered in the rendering of this Final Agency Decision. See N.J.A.C. 1:1-18.4(c).

By way of further comment, Petitioner is without prejudice to reapply for SNAP benefits, if she has not already done so, but must 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.

September 28, 2022

Natasha Johnson

Assistant Commissioner

