



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 **02843-22 L.R.**

AGENCY DKT. NO. **C049364009 (HUDSON COUNTY DEPT OF FAM SVCS)**

Petitioner appeals from the Respondent Agency's denial of Supplemental Nutrition Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that she was permanently barred from receiving SNAP benefits, because she had incurred three Intentional Program Violations ("IPVs") of SNAP. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law ("OAL") for a hearing. By notice dated April 13, 2022, the OAL advised the parties that the hearing in this matter would take on May 5, 2022, at 10:30am, via telephone, and included the number to which the parties were to call on that date and time. On May 5, 2022, the Honorable Mumtaz Bar-Brown, Administrative Law Judge ("ALJ"), held the telephonic plenary hearing, took testimony, and admitted documents into evidence. On that hearing date, the Agency appeared, but Petitioner did not, and the matter proceeded ex parte, which is permissible pursuant to applicable regulatory authority. See N.J.A.C. 1:1-14.4(d); see also N.J.A.C. 1:10-14.1(d). The record remained open to allow Petitioner an opportunity to present an explanation for her failure to appear for the hearing, and no with no such explanation having been submitted, the record then closed on May 9, 2022.

On June 6, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner had incurred three separate IPVs, in May 1991, May 2002, and June 2003. See Exhibit R-1. The ALJ in this matter found that the record contains sufficient and credible evidence that three IPVs were imposed by the Agency against Petitioner, and that, pursuant to applicable regulatory authority, Petitioner is permanently disqualified from receiving SNAP benefits. See Initial Decision at 2-4; see also N.J.A.C. 10:87-11.2(a)(3). Accordingly, the ALJ concluded that Petitioner is permanently disqualified from participating in the SNAP program, and affirmed the Agency's decision to deny Petitioner's application for SNAP benefits. See 4; see also N.J.A.C. 10:87-11.2(a)(3) and Exhibit R-1. 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.

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



Officially approved final version.

June 23, 2022

Natasha Johnson
Assistant Commissioner

