



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 **10164-21 P.F.**

AGENCY DKT. NO. **C804305007 (ESSEX COUNTY DIVISION OF WELFARE)**

Petitioner appeals from the Respondent Agency's denial of his application for Supplemental Nutritional Assistance Program ("SNAP") benefits. The Agency denied Petitioner's application for SNAP benefits, contending that Petitioner had failed to comply with program requirements necessary to determine eligibility for said benefits. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On January 13, 2022, the Honorable Kelly J. Kirk, Administrative Law Judge ("ALJ"), held a telephonic plenary hearing, took testimony, and admitted documents.

On January 24, 2022, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reveals that Petitioner applied for SNAP benefits online on July 8, 2021. See Initial Decision at 2. The record further reflects that the Agency scheduled the required telephone interview with Petitioner for August 11, 2021. *Ibid.* The Agency worker attempted to contact Petitioner on that date, but was unsuccessful. *Ibid.* The Agency worker left a voicemail message indicating that she would call back later that day, during a specified time frame, to conduct the telephone interview, but again, was unable to reach Petitioner during the referenced time frame. *Ibid.* Petitioner did not contact the Agency at any time thereafter, and as such, on August 30, 2021, the Agency denied Petitioner's application for SNAP benefits. *Ibid.* Based on the foregoing and the testimonial evidence presented, the ALJ found the Agency had complied with applicable regulatory authority in attempting to reach Petitioner to conduct the required interview, and therefore, the Agency denial of SNAP benefits to Petitioner was proper and must stand. *Id.* at 3-4; see also N.J.A.C. 10:87-2.18. 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.

February 2, 2022

Natasha Johnson
Assistant Commissioner

