



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF HUMAN SERVICES
DIVISION OF FAMILY DEVELOPMENT
PO BOX 716

TRENTON, NJ 08625-0716

SARAH ADELMAN
Commissioner

TAHESHA L. WAY
Lt. Governor

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 **16616-25 L.C.**

AGENCY DKT. NO. **C223731020 (UNION COUNTY DIVISION OF SOC. SVCS.)**

Petitioner challenges the Respondent Agency's denial of a retroactive Supplemental Nutritional Assistance Program ("SNAP") benefits allotment for the month of February, 2025. Petitioner contends that the Agency should have considered whether she is entitled to retroactive benefits for the month of February, 2025. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On November 18, 2025, the Honorable Ernest M. Bongiovanni, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony and admitted documents into evidence. On November 20, 2025, the ALJ issued an Initial Decision, affirming the Agency's determination that Petitioner is not entitled to retroactive SNAP benefits.

No Exceptions to the Initial Decision were filed.

As the Assistant Commissioner of the Division of Family Development, Department of Human Services, and I hereby MODIFY the Initial Decision, and AFFIRM the Agency's determination, based on the discussion below.

Households determined eligible for SNAP benefits are certified for said benefits for a definite period of time. See N.J.A.C. 10:87-6.20. County Social Service Agencies ("CSSAs") assign the longest certification periods possible based upon the predictability of the household's circumstances. Ibid. In households which contain adult members who are all elderly or disabled, the certification period assigned is for up to 24 months, with at least one CWA contact every 12 months. Ibid.; see also N.J.A.C. 10:87-9.5(a) (stating that in households which contain all elderly or disabled adults with only unearned income, the certification period is for 24 months, with a 12-month interim contact). In such instances, an Interim Reporting Form ("IRF") is sent to the household at the 12-month interim contact point. See N.J.A.C. 10:87-9.5(a)(3). Furthermore, in all cases, an IRF must be in the recipient's case. See N.J.A.C. 10:87-9.5(a)(3)(i). If the recipient's case closes, a new application must be filed by the household in order to receive SNAP benefits. Ibid. The Agency may reinstate a SNAP benefits case only during the 30 days following the effective of ineligibility, without a new application, provided that a completed IRF has been supplied during the 30-day period. See DFD Instruction ("DFDI") 12-08-01.

The record in this matter reflects that, in accordance with applicable regulatory authority, on November 1, 2024, the Agency sent Petitioner an IRF, by which Petitioner was to report any changes in income or expenses, and which are utilized in the SNAP benefits calculations. See Initial Decision at 2; see also Exhibit R-1 at 7-9 and N.J.A.C. 10:87-9.5(a)(3). The IRF clearly specified that the IRF must be returned by December 16, 2024, or Petitioner's SNAP benefits case would close on February 1, 2025. See Exhibit R-1 at 7-9. I further take official notice of the fact that the records of this office show that on January 21, 2025, Petitioner was sent an interim reporting closing notice, indicating that, due to non-receipt of the IRF, her SNAP benefits case would close, effective February 1, 2025, but Petitioner could still return the IRF within 30 days of the case closure. See N.J.A.C. 1:1-15.2(a) and N.J.R.E. 201(b)(4). Petitioner did not return the IRF



to the Agency until February 27, 2025, and at the time of the hearing, testified that her delay in sending the IRF was due to a medical emergency and fire damage to her home. See Initial Decision at 2. Upon receipt of the completed IRF on February 27, 2025, which was within the 30-day closure of Petitioner's SNAP benefits case, in accordance with applicable policy, the Agency reopened Petitioner's SNAP benefits case and approved Petitioner for SNAP benefits, effective the following month, March 1, 2025. See Initial Decision at 3; see also Exhibit R-1 and DFDI 12-08-01.

Based on the record presented, the ALJ concluded that Petitioner had not demonstrated that she is entitled to retroactive benefits for February, 2025, as her SNAP IRF was not received by the Agency until February 27, 2025, more than two months beyond the due date. See Initial Decision at 3-5; see also Exhibit R-1, and DFDI 12-08-01. I agree, but the Initial Decision is modified to include the applicable legal basis pertaining to the IRF, and the applicable policy that permits an individual's SNAP case to be reinstated only within 30 days of closure due to non-receipt of an IRF, without submission of a new application, as referenced above.

Accordingly, the Initial Decision in this matter is hereby MODIFIED and the Agency's determination is AFFIRMED, as outlined above.

Officially approved final version. December 24, 2025

Natasha Johnson
Assistant Commissioner

